

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Friday, the 17th November 1922, the hon. Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR AVARGAL, K.C.S.I., C.I.E., President, presiding.

I

QUESTIONS AND ANSWERS.

[Order made by the President of the Madras Legislative Council under Standing Order No. 15—

(1) Printed copies of the questions and answers to be put and given at a meeting of the Council shall be placed on the Council table an hour before the President takes his seat.

(2) The questions shall be put and answered in the following manner :—

The Secretary shall call the name of each interpellator in alphabetical order, specify the serial numbers of his questions and make a sufficient pause to allow him or any other member a reasonable opportunity of rising in his place if he is desirous of asking a supplementary question. Supplementary questions must be put immediately after the principal questions to which they relate.]

Irrigation sources in Cuddapah.

505 Q.—Mr. B. P. DEVARAJULU NAYUDU: Will the hon. the Law Member be pleased to state—

(1) what are the irrigation sources abandoned or breached in the Cuddapah district;

(2) when they were abandoned or breached;

(3) what steps have been taken by the Government to restore or repair them;

(4) what the extent of ayacut is under each of these breached or abandoned irrigation sources;

(5) if abandoned or breached, what the reasons are for so abandoning or breaching those irrigation sources;

(6) the probable cost of restoring or repairing each of these abandoned sources and tanks;

(7) why the Government has not repaired or restored those irrigation sources;

(8) whether the rules encourage private enterprise in the matter of restoration or repairs of breached or abandoned tanks and irrigation sources; and

(9) whether the rules encourage special rate channels offered to be executed by interested ryots?

A.—(1) to (7) The Government are not in possession of the information asked for.

(8) Applications for the repair of ruined tanks are governed by the rules in Board's Standing Order No. 8, while applications for the repair of abandoned spring and river channels would be covered by paragraph 8 of Board's Standing Order No. 10.

(9) There are no general rules. Each case will be dealt with on its merits.

Rai Bahadur T. M. NARASIMHACHARLU:—"Will the hon. the Law Member be pleased to call for the information?"

The hon. Mr. K. SRINIVASA AYYANGAR:—"Sir, I do not think that any useful purpose will be served by calling for the information, adequate to the trouble which we should have to take and the expense we should have to incur.

[17th November 1922]

Rai Bahadur T. M. NARASIMHACHARLU :—"Sir, the point now is whether the sources that have been abandoned cannot be given over to the Adi-Dravidas in view of the fact that there is great demand from them for sites."

The hon. Mr. K. SRINIVASA AYYANGAR :—"If any particular work is referred to and information is wanted about it, it will be considered in due course."

Mr. A. RANGANATHA MUDALIYAR :—"Is it a fact that the breached tanks were restored on the principle that only such tanks should be restored as the cost thereof was capable of being recovered from the income of such tanks within a period of four years?"

The hon. Mr. K. SRINIVASA AYYANGAR :—"I want notice of the question."

Revised rules prepared by the Agency Commissioner.

506 Q.—Khan Sahib Mudshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Member for Revenue be pleased to lay on the table a copy of the revised rules prepared by the Agency Commissioner after scrutiny?

A.—The rules are not yet ready for publication.

Reduction in the number of arrack, toddy and foreign liquor shops.

507 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Minister for Education be pleased to state—

- (a) whether any reduction in the number of arrack, toddy and foreign liquor shops has been effected this year as compared with the last year; and
- (b) whether this reduction has brought any loss to the Government?

A.—There was no reduction in the number of shops.

Memorial from the piece-goods merchants' association to the Madras Corporation.

508 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether a memorial has been submitted by the piece-goods merchants' association, Madras, requesting that they may be given a seat on the Madras Corporation;

- (b) whether the Government have passed any orders on it; and
- (c) if so, what the nature of the order is?

A.—(a) The answer is in the affirmative.

(b) & (c) The question is under the consideration of the Government.

Opening of a Muhammadan Training School for Mistresses, Nellore.

509 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB : Will the hon. the Minister for Education be pleased to state whether any representation has been received by the Government from the Nellore district for the opening of a Muhammadan Training School for Mistresses and, if so, when and what orders were passed on the representation?

A.—No such representation has been received.

17th November 1922]

Reorganization of the Educational Department.

510 Q.—Rao Bahadur M. C. RAJA : Will the hon. the Minister for Education be pleased to state—

- (1) whether the recommendations of Mr. Knapp's committee have been adopted in the reorganization of the Educational department;
- (2) whether it is a fact that the recommendations of Mr. Knapp were considered to be inadequate by the educational services; and
- (3) whether it is a fact that all temporary promotions were stopped pending the introduction of Mr. Knapp's scheme of reorganization?

A.—(1) Not in all cases of officers.

(2) Yes.

(3) Yes.

The Anamalai farm.

511 Q.—Rao Bahadur T. A. RAMALINGA CHETTIYAR : Will the hon. the Minister for Development be pleased to state—

- (1) the purpose for which the Anamalai farm was opened and what purpose it serves now;
- (2) under whom is that farm now; if it is not under the cotton specialist, why it is not placed under him;
- (3) whether the place is typical of the Coimbatore district as a district farm in case it is intended to continue it as a district farm; and
- (4) what is the capital and recurring expenditure incurred on the farm from its start?

A.—(1) The object with which the Anamalai farm was opened was to improve Cambodia cotton, and, by selection, to produce a strain which would give an increase in yield, evenness, and length of staple, as well as being of erect habit, and with a stronger stem, all desirable qualities which show a great deal of variation in the ordinary strain. Each one per cent improvement represents 10 lakhs per annum to the ryots at the prices ruling in 1919. The purpose the farm serves now is still selection work and the testing of improved strains. To this have been added important experiments with manures, to find out what influence these have upon the quality of the staple. Some experiments with tobacco are also being conducted on the farm.

- (2) The farm is now under the Deputy Director of Agriculture in charge of the VIII Circle. The management was handed over to this officer in July 1922, because the cotton specialist had by then acquired land at the Agricultural College Estate on which it was more convenient to conduct his special cotton research work.
- (3) The farm is perhaps not altogether typical of the Coimbatore district, but it is sufficiently typical for the practical purposes of a district farm. When the farm was chosen, it was essential to find a place free from stem weevil, so that the work on new strains should not be vitiated by attacks of this insect pest. It was for this reason, among others, that Anamalai was chosen.

[17th November 1922]

- (4) The capital and recurring charges on the farm have been as follows :—

	Capital charges.					Recurring charges.		
	RS.	A.	P.			RS.	A.	P.
Cost of land	28,799	9	9					
1919-20 ..	20,235	7	4	1919-20 ..		4,569	6	6
1920-21 ..	12,361	0	0	1920-21 ..		5,381	11	4
1921-22 ..	5,337	10	5	1921-22 ..		7,060	10	3
Total ..	66,733	11	6	Total ..		17,011	12	1

Report on the amalgamation of Oriya-speaking tracts.

512 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Home Member and the hon. the Member for Finance be pleased—

(1) to state whether the report called for by the Government of India with regard to the amalgamation of the Oriya-speaking tracts under one administration, has been received; and,

(2) if so, to place the same on the table?

A.—The hon. Member is referred to G.O. No. 103, Public, dated 4th February 1922, which was placed on the Editors' Table.

Interpretation of rules regarding travelling allowances.

513 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Member for Finance be pleased to state—

(1) whether the Government have recently passed an order that for the purpose of calculating the travelling allowances of an officer on transfer an adopted son shall not be reckoned as one of the officer's family; and

(2) whether the Government intend to remove the anomaly by revising the order?

A.—The answer to both parts of the question is in the affirmative.

Teachers in the training section of training schools.

514 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Minister for Education be pleased to state—

(1) whether the Government have recently passed orders placing teachers, hitherto in the cadre of supervisors and working in the training section of training schools for masters, in the cadre of certificated teachers of secondary grade;

(2) whether it is a fact that such teachers have not been given the privilege of drawing a local allowance like teachers of the model section of such institutions;

(3) whether it is a fact that the Director of Public Instruction recommended to the Government the payment of salaries at higher rates to such teachers and, if so, what the rate recommended was;

(4) whether it is a fact that the Government pleaded inability to accept the Director's recommendation; and

(5) if so the reasons that led to the non-acceptance of the said recommendation?

17th November 1922]

A.—(1) The answer is in the affirmative.

(2) Yes. The hon. Member is, however, informed that local allowances have not been sanctioned in the case of teachers in the model sections of *all* training schools, but only in the case of those in schools in certain selected areas. The question whether these allowances should be continued or not is under consideration.

(3) Yes. The Director of Public Instruction recommended for teachers in training schools who were hitherto in the cadre of supervisors the same scale as that recommended by him for certificated secondary grade teachers, viz., Rs. 40—40—2—60—1—70.

(4) & (5) The Government sanctioned for certificated secondary grade teachers a scale of Rs. 35—35—1½—50—1—60. The same scale was adopted for the teachers in training schools referred to.

Certificates of poverty given to students by members of the Legislative Council.

515 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Minister for Education be pleased—

(1) to give a list of persons who are authorized to grant certificates of poverty to students for the purpose of half-fee concession to students of backward classes; and

(2) to state whether it is a fact that certificates of poverty granted by members of the Legislative Council have been disregarded by certain presidents of district boards?

A.—(1) The attention of the hon. Member is invited to notification No. 63, published at page 260 of Part I-B of the *Fort St. George Gazette*, dated the 14th March 1922.

(2) The Government have no information.

Indianization of services.

516 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Home Member and the hon. the Member for Revenue be pleased to state whether the Government intend to give effect to the resolution of this Council passed in September last that at least one Conservator of Forests and one member of the Board of Revenue should be Indians, and, if so, when?

A.—The resolution will be borne in mind.

II

COMMUNICATION TO THE COUNCIL.

The SECRETARY laid on the table the proceedings of the eleventh meeting for 1922-23 of the Standing Finance Committee of the Madras Legislative Council held on Saturday the 11th November 1922*.

[17th November 1922]

III

(1)

DURATION OF THE MEETINGS OF THE COUNCIL IN DECEMBER 1922.

The hon. the PRESIDENT :—"The House is probably aware that we adjourn this evening after the work of the day is over till we meet again in December. The meeting in December will run from the 18th to the 22nd *idem*. So far as we can see at present, there will not be any Government work to justify a meeting in January 1923, but I cannot be quite positive on that. However, I hope later on to inform hon. Members what the chances are of our meeting in January 1923."

(2)

APPOINTMENT OF CHAIRMAN OF THE SELECT COMMITTEE ON 'A BILL TO PROVIDE FOR THE REORGANIZATION OF THE MADRAS UNIVERSITY, 1922'.

The hon. the PRESIDENT :—"I have to inform the House that under Standing Order No. 40 (3), I have appointed the hon. Rao Bahadur A. P. Patro, the Minister for Education, as Chairman of the Select Committee on the Bill to provide for the reorganization of the Madras University."

IV

A BILL TO AMEND THE MADRAS PORT TRUST ACT, 1905.

The hon. Mr. K. SRINIVASA AYYANGAR :—"Mr. President, since the last meeting when this Act was considered, I have got printed the original Act embodying all the amendments which have been carried out in the last sitting. The adjournment has given us a further opportunity of carefully scrutinizing the whole of the Act and it has also given us an opportunity of making amendments consequential on the amendments which were carried out on the last occasion. On examination it was found necessary to give notice of amendments which now appear on the agenda. I may also mention for the information of the House that even the amendments that are now proposed have been embodied in the printed Act and they have been shown in a different type. But the transitory provision which I am going to propose has not been embodied in the printed Act as that will be a separate section in the Bill, not being capable of being embodied in the original Act. With these preliminary observations, I beg to move amendment No. 1 to clause 4.

Clause 4.

"The amendment runs thus :—

1. *In the proposed sub-section (11) of section 5, after the words 'prescribed by rules' insert the words 'or by-laws'.*"

The hon. the PRESIDENT :—"Clause 4 has already been passed. Is it the wish of the hon. Member to amend the clause again? The proper course for the hon. Member is to deal first with clause 5 which is lying over from the last meeting, and after that is done, he can take the permission of the Council to amend again the clauses which have already been passed."

The hon. Mr. K. SRINIVASA AYYANGAR :—"Sir, under the Standing Orders, when a Bill is not passed at a particular stage, the Bill will have to be passed at the next sitting with such further amendments as may be proposed."

17th November 1922]

The hon. the PRESIDENT :—" But clause 4 has already been passed and the hon. Member can only propose now amendments to the clauses which have not yet been passed by the Council."

The hon. Mr. K. SRINIVASA AYYANGAR :—" I beg to submit that even clauses which have already been passed might be amended now. Standing Order No. 49 runs thus :—

(1) If no amendment be made when a motion that a Bill be taken into consideration has been agreed to by the Council, the Bill may at once be passed.

(2) If any amendment be made, any member may object to the passing of the Bill at the same sitting; and such objection shall prevail, unless the President, in the exercise of his power to suspend this order, allows the Bill to pass.

(3) Where the objection prevails, *the Bill shall be brought forward again at a future sitting; and may then be passed with or without further amendment.*"

The hon. the PRESIDENT :—" The hon. Member will see that no motion has yet been made that the Bill be passed into law. At present the hon. Member wants to amend a clause which has already been passed by the House. Now it seems to me that the only clause which can be amended at this stage is clause 5 which is lying over from the last sitting. After that is done, I think the hon. Member must obtain the leave of the House for re-opening some of the clauses which have already been passed."

The hon. Mr. K. SRINIVASA AYYANGAR :—" I am entirely in the hands of the hon. the President, but as a question of principle, I respectfully beg to suggest to the hon. the President the following construction of the clause. If I remember right, it is on that construction that previous proceedings have taken place. As I understand the Standing Order, Sir, the Select Committee Report is submitted to the House and the hon. Member in charge of the Bill moves that the Bill be taken into consideration. Then the procedure is laid down as to whether the Bill shall be taken into consideration or not. It is laid down that any member may object to the Bill being taken into consideration if a copy of the report has not been available for the use of the Members for seven days and such objection shall prevail unless the President suspends the particular Standing Order. Then the Bill is considered. The hon. the President has got power to put the Bill clause by clause (and that has been done in this case as far as clause 4). Then amendments are moved to these clauses and the amendments are either accepted or rejected. Then according to the procedure which we have got under Standing Order No. 48, the President puts the question that the particular clause or, as the case may be, the clause as amended do stand part of the Bill. After all the clauses are passed, the motion may be made that the Bill as amended be passed into law. At that time objection may be taken by a member that it shall go over to the next sitting, the object of that being to see whether all amendments consequential on the amendments previously passed have been made and also to see whether any of the previous amendments properly fit in, in the Bill. It will be more or less a formal scrutiny of language and also for the purpose of finding out whether any consequential changes are required. When it is adjourned, even though every single clause of the Bill has been voted upon and made part of the Bill, yet amendments could be proposed at the next sitting to almost every clause that has been passed. That, I think, is a privilege that is given under Standing Order No. 49 (3).

[Mr. K. Srinivasa Ayyangar] [17th November 1922]

"In this connexion, I may also remind you, Sir, that this has happened on two previous occasions. Even after the Bill has been passed, when it goes to the Governor, he can return it to the Council for reconsideration. The point or points referred for reconsideration should be put before the Council by the President and the Bill should be discussed and voted upon in the same manner as amendments to the Bill. This procedure has been followed on previous occasions. I submit, Sir, that the stage has not yet passed for putting in amendments to the clauses which have already been passed by the Council. In this view of the matter, it does not require the sanction of the Council to move amendments to clauses which have already been passed by the House."

The hon. the PRESIDENT :—"I am in perfect agreement with the hon. the Law Member in almost everything except his last sentence. I entirely agree with what he has stated about the passing of the Bill into law. But we have not come to the final stage of passing the Bill into law. No doubt when a Bill is adjourned for final passing, it is open to hon. Members to bring amendments to clauses which have already been passed. We have not yet come to that stage and we are still considering the report of the Select Committee and in considering that report we have passed a number of clauses and the only things that remain to be considered are clause 5 and the preamble. The hon. Member now wants to move amendments to a number of other clauses which, after consideration of the report of the Select Committee and after due amendments, have already been passed. I believe the only point of difference between the hon. the Law Member and myself is this : he seems to think that until the Bill is finally put to the vote, the Government may propose amendments from time to time even to clauses which have been passed already ; my point is the stage for moving amendments is only one and it cannot be split up into a number of periods, and if, after the passing of the Bill clause by clause, the Government want to go back to some of the other clauses and propose amendments, they must do so only with the permission of the Council. I dare say the House will give its assent in all reasonable cases."

The hon. Mr. K. SRINIVASA AYYANGAR :—"I bow to your ruling, Sir."

Clause 5.

11-15 a.m. Rao Bahadur P. C. ETHIRAJULU NAYUDU did not move the following amendment :—

In line 1 of paragraph 2 of the proposed section 7 for the word 'four' substitute the word 'six'.

Mr. V. P. PAKKIRISWAMI PILLAI did not move the following amendment :—

In line 1 of paragraph 2 of the proposed section 7 for the word 'four' substitute the word 'six'.

The hon. Mr. K. SRINIVASA AYYANGAR :—"I move that for the proposed section 8 (1) the following be substituted. It is really an incorporation of the amendment passed at the instance of Mr. Pakkiriswami Pillai with a slight change in the language so as to correctly name the bodies for whom he wanted to give representation. The section as changed runs as follows :—

The Chairman shall be appointed by the Local Government. Of the remaining trustees four shall be elected by the members for the time being of the Madras Chamber of Commerce, two by the members for the time being of the

17th November 1922] [Mr. K. Srinivasa Ayyangar]

Clause 5—cont.

Southern India Chamber of Commerce, two by the members for the time being of the Madras Trades Association and one each by the members for the time being of the Southern India Skin and Hide Merchants' Association and Madras Piece-goods Merchants' Association at a meeting of the members of the Chamber or the Association concerned convened in accordance with the rules of such Chamber or Association."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur seconded the motion.

The motion was put and carried and the substitution was made.

The hon. Mr. K. SRINIVASA AYYANGAR :—"There is only one other amendment and it is this. In consequence of the amendment made to section 8 and carried out on the last occasion a consequential amendment is required in section 13 of the proposed Bill. I shall ask the permission of the House to make the amendment if the President rules that clause 5 can stand part of the Bill."

Rai Bahadur T. M. NARASIMHACHARLU :—"What he proposes to move is put down under clause 5 according to the agenda given to us. It is a mistake."

The hon. Mr. K. SRINIVASA AYYANGAR :—"I think Mr. Narasimhacharlu is right because clause 5 of the Bill covers sections 7 to 17. In the same clause in the proposed section 13, for the words 'Chamber of Commerce or the Trades Association as the case may be' substitute the words 'Chamber or Association concerned'. This is necessitated owing to the addition of two more associations as being bodies entitled to representation."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur seconded the motion.

The motion was put and carried and the substitution was made.

Clause 5 as amended was put to the House and carried and allowed to stand part of the Bill.

The hon. Mr. K. SRINIVASA AYYANGAR :—"May I request the permission of the House to move a few verbal changes which on examination was found either convenient or necessary. When I say convenient I may draw the attention of the House to one or two of the amendments which have been given to the original sections which are not proposed to amend. Reference has been made in those sections to Acts which were then in force and which have been repealed since and re-enacted in a new form. Now that you are making an amendment, though so far as legal construction is concerned, it may not affect, it looks neater to substitute the later Act for the older Act. For instance, the Agricultural Loans Act of 1879 has been repealed and re-enacted as a new Act of 1914. So instead of 1879, I want 1914. The Indian Ports Act of 1889 has been repealed by a new Act of 1908. We thought it proper, Sir, when we are now amending the Bill to carry out these amendments in those sections also, so as to note that the Acts which we are referring to are the new Acts. That is what I mean by convenient amendments."

[Mr. K. Srinivasa Ayyangar] [17th November 1922]

"There are one or two amendments which have been necessitated by the splitting of one or more sections of the old Act into two or more in the new Bill. It is for that purpose that I propose to move the remainder of the amendments.

"Then there is one other provision, which is a transitory provision, which is necessitated owing to the change made in enlarging the number of electorates according to the wish of the House in the proposed sections. Those in general are the nature of the amendments and I request the permission of the House to move them."

The leave asked for was then granted by the House.

The hon. Mr. K. SRINIVASA AYYANGAR :—"I move

That in clause 4 in the proposed sub-section (11) of section 5, after the words 'prescribed by rules' insert the words 'or by-laws'.

"Hon. Members have got a copy of the Bill as amended and if they turn to page 2 they will find that 'prescribed' means 'prescribed by rules or by-laws made under this Act.' There are sections under the Act which provide for the making of the rules which are called by-laws by the board. In order to make the draft perfect we desire to add 'or by-laws' to that section or sub-section in the definition. Hon. Members would see that with that addition the definition of 'prescribed' will read as 'prescribed by rules or by-laws'."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur seconded the motion.

The motion was put and carried and the insertion was made.

The hon. Mr. K. SRINIVASA AYYANGAR :—"I go now to clause 16 of the Bill:

In the proposed section 41-A (3), for the words and figures 'or section 43' substitute the words and figures 'section 43 or section 43-A'.

"As I previously explained to the House, the original sections 42 and 43 were split up into three sections and are reproduced as 41, 42 and 43-A. In enumerating them in one of the sections 43-A was omitted and it is for the purpose of inserting it that this amendment is moved."

The hon. Sir CHARLES TODHUNTER seconded the motion.

The motion was put and carried and the substitution was made.

The hon. Mr. K. SRINIVASA AYYANGAR :—"The next amendment that I propose is:

In the proposed section 41-A (4), for the word and figures 'and 43' substitute the word and figures '43 and 43-A'.

"It is also a similar case."

The hon. Sir CHARLES TODHUNTER seconded the motion.

The motion was put and carried and the substitution was made.

The hon. Mr. K. SRINIVASA AYYANGAR :—"The next amendment that I move is to add a new clause after clause 31 for the purpose of carrying out verbal amendments, as I mentioned, to the existing sections which we did not touch in the Bill at all. It is for the purpose of correcting the years of the Acts that I am adding a new clause."

17th November 1922]

New clause after clause 31.

11-30 a.m. The hon. Mr. K. SRINIVASA AYYANGAR :—" Sir, I beg to move

Add the following as clause 32 :—

32 (1) *In section 38 of the Principal Act for the words and figures 'the Local Authorities Loan Act, 1879' the words and figures 'the Local Authorities Loans Act, 1914' shall be substituted.*

(2) *In section 44 of the Principal Act—*

(a) *In sub-section (1) for the words and figures 'Or section 43' the words and figures 'section 43 or section 43-A' shall be substituted.*

(b) *In sub-section 3 for the word and figures 'Or 43' the words and figures 'section 43 or section 43-A' shall be substituted.*

(3) *In section 46 of the Principal Act, for the words and figures 'Or section 43' the words and figures 'section 43 or section 43-A' shall be substituted.*

(4) *In sections 49, 91, 95 and 111 of the Principal Act, for the words and figures 'the Indian Ports Act, 1889' the words and figures 'the Indian Ports Act, 1908' shall be substituted.*

(5) *In section 100 of the principal Act, for the words and figures 'the proviso to sub-section (1) of section 7' the words and figures "clause (e) of sub-section (1) of section 10" shall be substituted."*

The hon. Sir CHARLES TODHUNTER :—" I second it."

The motion was put and carried. The new clause was added to the Bill.

The hon. Mr. K. SRINIVASA AYYANGAR :—" Sir, I beg to move

Add the following as clause 33 :—

33. *On the coming into force of this Act, the term of office of the Trustees then holding office other than the Chairman shall expire on such date or dates as the Local Government shall determine; and the Local Government shall make the appointments and cause arrangements for elections to be made under section 8 so that the newly appointed and elected Trustees may come into office on the date or dates fixed for the retirement of the former Trustees.*

"This is only a transitory provision. The Board is a continuous one. It will carry on the work till the new trustees come in. It is for the purpose of preserving the continuity, as otherwise there would be some difficulty, that this transitory provision is proposed to be introduced."

The hon. Sir CHARLES TODHUNTER :—" I second it."

The motion was put and carried. The clause was added to the Bill.

The preamble was then put and passed.

The hon. Sir CHARLES TODHUNTER :—" Sir, I now beg to move that the Bill as amended be passed into law."

The hon. Mr. K. SRINIVASA AYYANGAR :—" I second the motion."

Rai Bahadur T. M. NARASIMHACHARLU :—" Sir, the other day it was mentioned that consequent on the addition of two members there might be a necessity of altering the maximum number, 15, in the Act. It was then thought that there were 14 members at present and the addition of two

[Mr. T. M. Narasimhacharlu] [17th November 1922]

members meant 16. Consequently, it was suggested by the Government that the maximum number should be increased. May I know, Sir, how that difficulty is sought to be met?"

The hon. Sir CHARLES TODHUNTER :—"Sir, we have arranged to meet that difficulty by reducing the number of nominated members by two."

The motion that the Bill as amended be passed into law was put and carried. The Bill as amended was passed into law.

The hon. Mr. K. SRINIVASA AYYANGAR :—"May I say a word, Sir? I am extremely sorry for having inconvenienced the House by proposing various amendments due to clerical errors. I do not want to dilate on the causes which led to those amendments. But I do want to apologize to the House for these errors, on behalf of the Government."

V

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

Postponement of resettlement proposals.

Mr. A. RANGANATHA MUDALIYAR :—"Sir, I beg to move the following resolution :—

That this Council recommends to the Government that the adoption of resettlement proposals in the Presidency may be postponed pending legislation embodying the principles of land revenue settlement or introduction of the permanent settlement of holdings.

"I think, Sir, I have a very easy matter in commending this resolution for the acceptance of this House; for, as a matter of fact, this House has on more than one occasion given its approval to the principle enunciated in this resolution. In February 1921, a resolution was brought in this House to this effect :

That this Council recommends to the Government that the adoption of resettlement proposals in the Presidency may be postponed till the principles of land revenue settlement are embodied in legislation.

"The debate on that occasion was, in the words of the hon. the Revenue Member, a 'full dress debate'. As many as 22 hon. Members took part in the discussion. The hon. the Revenue Member and the hon. the Finance Member spoke for the Government opposing the resolution; and I think, without exception, all the other Members were of opinion that the method by which the present resettlement operations were conducted was unsatisfactory and, with the single exception of Mr. S. T. Shanmukham Pillai, all the others were unanimously of opinion that there should be no resettlement operations in the Presidency, or rather that the introduction of new rates as a result of resettlement operations should be postponed till the principles underlying them were embodied in a statute. The hon. the Revenue Member, of course, spared no exertions to dissuade the House from accepting that resolution. But even he with all his eloquence cannot achieve the impossible. The resolution was in the end carried by 76 votes against 17 and, if we analyse the voting list, we will find that all opinion which was not official was in its favour. It is not necessary for me, Sir, now to dilate upon the many arguments advanced on that occasion in support of the resolution.

17th November 1922] [Mr. A. Ranganatha Mudaliyar]

"Then we come to December of the same year, when our friend Mr. A. S. Krishna Rao introduced a resolution in regard to permanent settlement. The resolution then adopted by the House was in these terms: 'That this Council recommends to the Government to take necessary steps to introduce permanent settlement of assessment in the ryotwari holdings in this Presidency.' This again was fully discussed and very many of the Members who took part in the discussion in February took part in the discussion of this resolution also, and the resolution was passed by a overwhelming majority. It is true, Sir, that at that time the hon. the Revenue Member held out a threat that in case this resolution on permanent settlement was passed by the House, he was under no obligation to suspend the operations on resettlement in the districts in which those operations were going on. Really, Sir, I cannot see what connexion this resolution on permanent settlement has with the postponement of settlement operations. The challenge offered by the hon. the Revenue Member was accepted by Mr. Ramalinga Chettiyar who followed him in the debate and he replied to it in a convincing manner. He said: 'This is the only opportunity for us, the representatives of the people, especially on account of the imminence of that Bill which he says is almost ready, to express our opinion as regards the necessity for the permanent settlement. He has also said that we have waited for a long time, that he would bring forward the Bill soon, and if we discuss this matter and press this resolution there is a chance of its being delayed and our losing whatever we can get by way of revision of assessment. I do not think that there is any such fear at all that need be entertained in this matter. The Bill will be considered on its merits. We are told that for years the members of this Council and of its predecessor have moved resolutions to fix the principles of resettlement and so we have agreed to the principles of periodical revision. If at this moment we do not raise this question, it may be said that we are estopped altogether when the Bill is introduced and we cannot suggest improvements to it. So, Sir, this is the opportunity for us to say that what we do want is permanent settlement. If we cannot get it at once or cannot get it at all, we may go on settling the principles to be adopted in the periodical revisions.' He concluded, Sir, by saying 'As I said, the Bill which is got ready need not wait on account of this resolution. This resolution will have to be considered separately on its merits and pending the decision on this resolution the Bill may go on. If, finally, we do not succeed in getting our resolution accepted or it takes time, in the interval the principles that are going to be embodied in the Bill may be followed'. That, Sir, was the situation in December. But the hon. the Revenue Member, whose resourcefulness we cannot but admire, took hold of this resolution of December not only not to give effect to the previous resolution of February, but he has gone a step further and tried to introduce new rates in some of the districts. That, I think, Sir, is against the considered opinion of this House. I think it is due to this House that their wishes in this matter should be respected. It may perhaps be urged by the hon. the Revenue Member that he would be willing to accept this resolution in case it is not sought to be applied to those districts whose scheme reports are in his hands just now. But I think there should be no exception made. This resolution should apply not only to districts which are not yet ready for resettlement, but also to those districts in which the resettlement operations have been completed and the reports are pending for final orders of the Government. So far as Anantapur and Bellary districts are concerned, this House has passed and

[Mr. A. Ranganatha Mudaliyar]

[17th November 1922]

Government accepted a resolution to the effect that resettlement rates should not be introduced in those districts for one year to come. In the case of Tanjore district, the kist season begins in January; and if the proposed Bill is ready, I do not see what prevents the Government to introduce it in December next. Why should not the Government take the necessary steps for having it passed in December or January next? I think the Government do not stand to lose much by accepting the resolution before the House. On the other hand, they would be simply carrying out the considered opinion of the House; and I think that that is the only proper and reasonable course for the Government to take in this matter. With these words I commend this resolution for the acceptance of the House."

Rao Bahadur V. APPASWAMI VANDAYAR:— "Sir, I beg to second the resolution. In the Tanjore district, most of the landholders are poor and about 90 per cent of them are small landholders. They are finding it very difficult to eke out their livelihood. Mr. Jackson, the Settlement Officer, himself admitted it and Mr. Dutt, the then Collector, decidedly held that these small landholders could not bear any increase in assessment, however small it may be. Now, I simply suggest to the hon. the Revenue Member to stick up to the original resolution. Further, I can inform the House that the classification of the soil has not been rightly done. They say that the original classification is sufficient. Now, the present conditions are quite different. The Kannambadi project has completely removed all the alluvial property in the water, the water distilled through the several sluices does not contain any alluvium necessary for the fertility of the land. I can only appeal to the Government to treat the land-owning classes in a better way, for they are the backbone of the Government. With these words, I support the resolution."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur: "Sir, the issues raised by this resolution having been discussed *ad nauseum* on previous occasions, I shall not be guilty of taxing the patience of the House by a reiteration of the facts and arguments advanced on both sides on those occasions. I must confess that the hon. the mover of this resolution has been swayed away by a spirit of optimism in which probably he has conjured up within his own mind a picture wherein he sees this proposed legislation for the codification of resettlement being introduced in the month of December and becoming law in January. I am sorry I cannot share that view. There seems to lurk a suspicion in the minds of the two hon. Members who have spoken, and elsewhere too that Government have deliberately failed to introduce into this Legislative Council a Bill for the codification of resettlement proposals and that they have also failed to give effect to the resolution of this House which was passed in December last in favour of permanent settlement. I wish, if I may, to take this occasion to protest in the strongest language possible that Government are not guilty of any such omission at all. The House will remember that Government had given an undertaking in January 1921, at the very first meeting of this Reformed House, to expedite by all means at their disposal the preparation and introduction of a Bill on the lines of the recommendations of the Joint Committee of both Houses of Parliament. They had, six months before the Reforms came into operation, called upon the Board of Revenue to draft a Bill on those lines and submit it to them. The Bill was the first of its kind. There was no legislation to guide the Board of Revenue in its preparation. The Board of Revenue has never assumed to

17th November 1922] [Sir Muhammad Habib-ul-lah Sahib]

itself the role of drafters of legislation. However, with all the impediments in their way, they drafted a Bill and submitted it to the Government for consideration. But the Government, instead of adopting the usual procedure of introducing the Bill straight away into this House, considered it desirable, in view of the importance of the question involved, in view of the novelty of the legislation and in view also, may I add, of an intention on their part to consult the public feelings as far as possible, summoned to their aid a large, influential and representative committee for the purpose of advising them as to whether the provisions made in the Bill, as drafted by the Board of Revenue, are sound and can be accepted. That committee sat for some time, took great pains to examine the provisions of the Bill, revised the Bill in the light of its own views, and submitted the same to Government for consideration. This was not, Sir, until July 1921. The Government as a whole were considering the draft Bill as revised by the committee and were contemplating to introduce the Bill into this Legislative Council at the earliest possible moment, and I believe it was the intention of the Government at that time to introduce the Bill either in August or September 1921. But, Sir, in August 1921, my hon. friend from Nellore tabled a resolution in favour of permanent settlement. Well, on account of the rush of other work, that resolution could not be considered until December. Having therefore a warning from the House that they were soon to discuss a resolution on permanent settlement, the Government refrained from introducing the Bill, for the House would have been fully justified in throwing out the very first reading of the Bill on the ground that the efforts of the House were to secure a permanent settlement for the province and they would not look at a piece of legislation which intended to perpetuate the old order of things under which resettlement was the rule. We had therefore to wait until the result of that resolution was known. The House passed the resolution by a large majority in favour of permanent settlement. We at once carried out the wishes of the House by sending up the whole debate to the Government of India, for the House will realize that this Government is powerless in the matter of issuing orders on a resolution of this description. The Local Government have got no right, no power to substitute permanent settlement in lieu of periodical settlement. The papers had inevitably therefore to be sent up to the Government of India for their orders, and I may inform the House that until this day their orders have not arrived. Had I ventured to introduce the same Bill after the permanent settlement resolution had been passed by this House, I might be told that I was trying to overcome the effect of the permanent settlement resolution by introducing a measure which was directly in opposition to the expressed wishes of this House. It was therefore inevitable, unavoidable—and that, I repeat, was the only course left open to Government—to send up the whole papers explaining the history of this measure to the Government of India and await their orders as to whether there was any likelihood of the recommendation of the House as regards permanent settlement being approved or whether they will allow us to proceed with our piece of legislation. Matters are standing in that condition, and I repeat Government have not intentionally or deliberately evaded the introduction of the Resettlement Bill or deliberately omitted to give effect to the recommendation of this House in favour of permanent settlement.

“Then, Sir, the hon. the mover anticipates that I on behalf of the Government might possibly agree to the resolution being accepted provided

[Sir Muhammad Habib-ul-lah Sahib] [17th November 1922]

it does not relate to any of the schemes that might be now on my hands for consideration. I may assure the hon. Member that I have no schemes on my hand at the present moment for consideration. All the scheme reports which reached the Government until recently have been disposed of, and I am now in the happy position of having no arrears in the direction of passing orders on any scheme reports unless and until the scheme reports in regard to districts which are yet under settlement reach my table. I want to remind the House, if I may venture to do so, of a very euphemistic remark which was made by the hon. the President at that interesting meeting which we had here on Parliamentary Procedure. I remember the hon. the President remarking that the demand for retrenchment in our Province had reached a stage in which it might fitly be said that every hon. Member of this House carried the Geddes axe on his shoulder."

The hon. the PRESIDENT:—"Any remarks that I might have made outside this House are absolutely valueless. They don't bind me, nor for the matter of that do they bind any one here. I am supposed to hold no opinion of any kind."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur: "That is why I referred to it, because it was not made in connexion with any matter before this House. The remark was made in the independent capacity of a speaker speaking at a public meeting, and I wanted to take the benefit of the views then expressed.

"However, I would request the hon. Members to realize for a moment whether it will be in the interests of provincial solvency to apply the axe only to what one would regard as rank growth or even superfluous branches here and there or trees or plants which are valueless, or whether it would be financial prudence to apply the axe in a direction so as to remove from the garden all fruit bearing and revenue yielding trees.

"This resolution would merely amount to the willing surrender of revenue which this province is entitled to recover. It will mean not only that, but also a wasteful expenditure of money which has already been spent, and which still continues to be spent in this province on the maintenance of special settlement parties which have been at work either in connexion with the scheme reports on which orders have already been passed, or in connexion with the scheme reports which have reached a stage as to be fit to be completed within a very brief period. Perhaps, I may tell the House what the financial possibilities of this resolution will be. All hon. Members will feel convinced that if this resolution is passed at the present juncture in particular, it might be regarded, no doubt, as a counsel of perfection, but will certainly lack practical politics. In regard to Tanjore district, about which the hon. the seconder of this resolution laid some stress, we have already spent a sum no less than Rs. 3,55,384 up to the end of May, and the account for the expenditure subsequent to that date has not yet been furnished. I may assure the House that the settlement party had to be developed, more officers had to be added, the ordinary strength of the party had to be increased because the nature of the work that had to be done between June and until the introduction of the scheme report was probably large, and the expenditure in the last few months subsequent to May must have been very large indeed. Even in regard to South Arcot and North Arcot districts, where portions of these districts are under resettlement, we have incurred and are still continuing to incur expenditure the

12 noon.

17th November 1922] [Sir Muhammad Habib-ul-lah Sahib]

correct figures of which could not be very easily distributed between tract and tract inasmuch as the figures were worked out for the whole district and for the whole party. And I may assure the House that the expenditure was very considerable indeed. In regard to Bellary and Anantapur districts (about which orders on the scheme report were passed and the introduction of the rates will certainly be delayed for a year on account of the resolution passed by this House) the expenditure incurred up to the 30th June was Rs. 2,87,636. As the House has already passed the resolution postponing the introduction of increased rates in those districts during the current fasli, the party has still to remain there for the whole year and complete its labours. I think I had warned the House about that aspect of the question, but they were prepared to face that risk and will have to face that risk, and expenditure will therefore continue to be incurred for that particular party in those two districts until resettlement rates are introduced in the next fasli. The representative from Trichinopoly may know that resettlement there has reached a stage where one might say that the party is almost ready to prepare its scheme report. The establishment has been added there too considerably of late and the amount of expenditure incurred in that district will certainly be not less than that already incurred in Tanjore. After having mentioned the expenditure which has been involved and the possibility of that expenditure being continued until that stage is reached when we might regard the passing of a Resettlement Bill into law and giving effect to it as speedily as possible, or the introduction of a permanent settlement into this province as practicable, the operations in connexion with resettlement cannot be suspended. Though the Settlement parties may not work on the same strength as they do at the present moment, all the same some portion of the party will have to be left behind merely to mark time and do some kind of work or other so that the continuity of the work may not be disturbed. The result so far achieved may not be obliterated, and there may not be a necessity [to start the work afresh a few years later and thus duplicate expenditure. We hope to realize by these various scheme reports a sum aggregating in all between 20 to 25 lakhs of rupees a year. Well, I would definitely put the question to the House whether they consider that their treasuries are so overflowing—they do not, for only the other day the hon. the Finance Member told us that our pool was absolutely dry—as to permit us to vote with almost an easy mind to forgo this large slice of revenue every pie of which is now an absolute necessity for us to enable us to make both ends meet. I am not at all convinced of the necessity for going back on the scheme reports which have already been submitted and on which orders of Government have already been passed. If there are any reasonable grounds to urge, if there are any justifiable complaints to put forward, if any aspect of any scheme report is taken to be so unjust as to call for reconsideration, nothing prevents the people affected thereby or their representatives to put those facts before Government and ask for a reconsideration. But, Sir, to ask the Government at this stage to take their hands off the machinery and to render absolutely nugatory the whole work that has been done during the last several years after a considerable expenditure of the general tax-payers' money would be, I venture to think, asking too much. So far as the Land Revenue Settlement Bill is concerned I have always expressed my willingness to introduce it in this House. I have always been ready to do so and may I say that I am to-day as ready as I ever was to introduce that Bill in this Council. If hon. Members of this House will express their intention that

[Sir Muhammad Habib-ul-lah Sahib] [17th November 1922]

they are all in favour of the immediate introduction of the Land Revenue Settlement Bill, nothing will be simpler for me than to do so at the earliest possible moment; but let me at the same time point out that I cannot at all anticipate that if the Bill is introduced to-day, it will become law to-morrow. The necessary preliminaries have got to be gone through. The House knows that that Bill has not yet been published for public criticism. Before I come up to the Council for the purpose of introducing this Bill, it will be quite in the fitness of things that I should consult the non-official public. Having done that, I think I should give publicity to the Bill before it is introduced which I should very much like not only because that it is usual to do so, but also because the issues involved in that Bill are so momentous to the taxpayers. Having introduced it, it will be for the House to consider, and from my experience at the committee which sat for the purpose of revising this Bill, I feel perfectly sure that a volume of opinion will offer itself either in favour of or against the provisions embodied in that Bill. Demands will be made, as indeed they were made on former occasions, to hear evidence, to receive deputations, to permit experts to come and address the committee and I do not know what the attitude of the Select Committee that will be appointed for that Bill would be. These are all questions that would involve time and, at the earliest calculation that I am now able to make, I do not think that the Bill would become law for about a year after its introduction. Having said that, may I also invite the attention of the House to the fact that an important measure of that description is one which has got to be reserved for the consideration of His Excellency the Governor-General. That will be the next process which will have to be gone through before that Bill can become law and be put into operation. I cannot anticipate what the Government of India may do regarding that Bill. The Bill, though applicable to the Madras Presidency, may also be said to be applicable to all India; for the recommendations of the Joint Committee of both the Houses of Parliament do not confine themselves to the codification of a Bill for the Madras province alone, but for the whole of India; and it is perfectly possible that the Government of India before examining our Bill may like to see what provisions have been made on this matter by other provinces in India so that there may be something like a uniformity of procedure, a uniformity of action between the legislative measures of different provinces which relate to one and the same matter, namely, 'periodical settlements.' I may also ask a question whether any of the hon. Members is prepared to assure me to-day whether any other province in India has so far been able to pass a legislation of this nature. My fear is that no other province has so far gone to the extent of framing a legislation of this kind. I am able to assure the House on that matter by reason of the number of interrogatories, so to say, which I am getting from other provinces which go to show that they have come to know that forward Madras is stealing a march over other provinces in this respect also and they wish to profit themselves by the wisdom, the experience and the knowledge of the officials and non-officials of this province. Well, I have so far not been tempted to give them true copies of my Bill because it has not yet been published. That, Sir, is the present position of affairs.

"Now as regards the permanent settlement, I would ask the House to realize whether they could hope to secure a permanent settlement, even assuming that orders of the Government of India are received to-day, within about a few years.

17th November 1922] [Sir Muhammad Habib-ul-lah Sahib]

“ I have already said so often that the introduction of permanent settlement does not really mean the issue of a press communiqué
12-15 p.m. that from such and such a date this province would enjoy the blessings of a permanent settlement. It means a considerable amount of spade-work which has got to be done preliminary to the introduction of permanent settlement. I mean the levelling up of taxation throughout the province so as to render it equitable between man and man, whether he is rich or poor. That, Sir, assumes a big programme of work, and I am not prophet enough to say at this moment how many years it may involve to complete that programme of work. Until therefore all that preliminary and spade-work is completed it would not be possible for this province to congratulate itself that it has secured a permanent settlement, if after all it is going to secure one. Having these impediments therefore in the way, is it financial prudence—I shall not put it on any other ground—is it financial prudence, I would ask, to set back the hand of the clock of revenue indefinitely, and not to add to the revenues of our province until that millennium is reached? Well, Sir, that millennium is not so immediately within sight, and that millennium seems to be one which like a phantom is trying to run from us, and I may almost say that that millennium is undefined and unidentifiable. I would therefore venture to submit that if there are any special considerations to be attended to in any scheme report, I on behalf of the Government can assure a sympathetic hearing and a careful consideration.

“ So far as my friends from the Tanjore district are concerned, I find that they have held a public meeting on Sunday the 12th instant, and that they have passed a resolution to send a deputation to the Government to point out various drawbacks in the scheme report which I sanctioned the other day. I hope it would certainly come to me, although in one of their resolutions, they threaten that if the scheme report is to be given full effect, the Government would be attempting to convert law-abiding Tanjore into lawless Kaira! Whatever the mentality of the speakers on that occasion might have been, I fully recognize that they are yet hopeful that if they come up before the Government in a deputation and should they convince Government of the reasonableness of their demand, Government would not have been approached in vain, as it has never been approached before in vain on reasonable grounds. I can hold out that assurance to my friends from the Tanjore district.

“ Finally therefore, Sir, if any further assurance is wanted from me as regards expedition in the introduction of this Bill, I may tell the House that if they should express their wish to me to-day that they are all in favour of the introduction of the measure on the lines of the Joint Parliamentary Committee's report, I have not the least objection to take advantage of their suggestion and introduce the Bill at the earliest possible moment, but I cannot agree, on behalf of the Government, to a willing surrender of growing revenue which we sadly need at the present moment.”

MR. HAMID SULTAN MARAKKAYAR SAHIB:—“ Mr. President, I have great pleasure in supporting the resolution now before the House. It is unnecessary for me to say that it is most opportune, especially in view of the fact that the Government have ignored the resolution of this Council of the 15th February 1921 and proceeded to pass orders on the settlement proposals of Anantapur and Tanjore districts. The bringing into operation of the Anantapur district resettlement scheme

[Mr. Hamid Sultan Marakkayar] [17th November 1922]

report has been agreed to be postponed for one year on the resolution of this Council and orders on the scheme report for the Tanjore district have been passed with effect from the next fasli. Though I am not prepared to characterize the action of the Government on this matter as 'outrageous' as one of the speakers did characterize it at the mirasidars' conference held at Kumbakonam on Sunday last, I am bound to say that the action of the Government is most unjust and unjustifiable, especially in view of the fact that the mirasidars of the Tanjore district were led to believe that the resolution of the Council passed in February 1921 would be given effect to and that the final orders on the Tanjore scheme report would be postponed till the principles of land revenue assessment were embodied in a statute. However, when the proposals were published later, they were taking steps to form public opinion on the matter, so that any representations that may be considered necessary to be made in regard to the proposal might be ready for being placed before the Government without delay, soon after the contemplated legislative measures have been passed. Even then there was the impression, largely shared, that the Bill then under preparation by Government and of which some news were filtering through the press, would contain nothing more than the rules and orders hitherto observed in another garb and with a different name. They were therefore anxious that their case should not go by default and arrangements were made by them for holding a special conference of the mirasidars at Mannargudi for framing definite proposals in this behalf. But, however, the Council by an overwhelming majority declared itself in favour of permanent settlement in December last, and the mirasidars fondly hoped that the millennium they were aiming at was within reach, and they were anxiously awaiting the publication of the draft Bill for putting forward their own objections, if any, thereunto; and in this behalf they were strengthened by the fact that the Government did not express its disapproval of the resolution at the time. But the Government were not willing to allow even this small satisfaction to the mirasidars, and the final orders of the Government on the Tanjore resettlement scheme have come upon them as a bolt from the blue. They are unable to understand why the declaration of the Council in favour of permanent settlement, if it did not meet with favour at the hands of Government, should have deterred the Government from expediting the Settlement Bill or its introduction into the Council with a view to having it passed before taking the proposals of resettlement into consideration. Nor is it made clear why the resolution for permanent settlement should indefinitely postpone the passing of the Settlement Bill as stated by the Government in paragraph 2 of their scheme report. I have noticed from the press that the hon. Member in charge of Revenue is in favour of permanent settlement and is anxious to immortalise his regime by the passing of such a legislation thereby giving the charter to mirasidars which they have been longing for, but that the sanction of the Government of India had not been so far obtained for their proposals. I cannot conceive how the Ministers, supposed to be representatives of the democratic party in this Council, should have agreed to the issue of final orders on this scheme report, especially in view of the fact that there was no reason to hurry on with the proposals. The new scheme is intended to be brought into force only from the next fasli, and there is yet sufficient time to press the Government of India to give their consent to the proposals and to bring forward a Bill in the Council to be passed in time to give effect to the scheme

17th November 1922] [Mr. Hamid Sultan Marakkayar]

report, if there be necessity therefor from the next fasli. That the Government were not prepared to sacrifice public revenue by delaying the process of resettlement for an indefinite period is, on the face of it, fallacious and cannot stand a moment's scrutiny. Whatever the views of the Government may be, whether they treat the recommendations of the Joint Parliamentary Committee and of the Council with the consideration they deserve or treat them as papers of no consequence, ordinary and common justice required that the Government should have made it known to the mirasidars that they were going to take into consideration the proposals of the special settlement officer in spite of there being no legislative enactment defining the principles of land revenue settlement as indicated by the Joint Committee. This would have afforded an opportunity to the mirasidars of the Tanjore district in particular to expose the fallacies of the settlement officer in the report. But no. The Government would have none of it; and they have gone on in their usual way to pass final orders *ex parte*. This is a denial of the ordinary rights of any citizen of any civilized Government. The order of Government is therefore vitiated by the non-compliance with the elementary rules of natural justice.

"In the second place, I have to enter my emphatic protest against the action of the Government in giving the go-by to the resolution of the Council in favour of permanent settlement. If the Joint Committee accept the declaration, the public have a right to know why the declaration of the representatives cannot be carried out. If the pre-reforms methods are still to be repeated, and the opinion of the Council is to be flouted even on such important matters as these which affect directly the interests of the people of the Presidency as a whole, it is inconceivable how any merit can be claimed for the new order of things.

"Turning now to the merits of the scheme report for the district of Tanjore, many of the fallacies contained therein have been exposed by the mirasidars' conference held recently at Kumbakonam wherein a well-considered memorandum has been agreed to be submitted to Government in this behalf. There is one point in the Collector's report which, I think, has not received that consideration at the hands of the Government which it richly deserves. In paragraph 6 of his report he says:

'I have grave doubts how the increased assessment will affect those ryots who consume all they produce and have no crop to sell. The increase in the price of paddy or of dry crops does not affect them favourably as *ex hypothesi* they have no crops to sell. On the other hand, the general rise in prices has affected them adversely as they have to pay more than formerly for those expenses which they have to incur in cash. So the small ryots who have no crops to sell are worse off now than what they were at the last settlement. Therefore what justification can there be for increasing the assessment in their case? I can find none. Our settlement rules do not discriminate between big and small ryots, but unless some discrimination is made in favour of small ryots who have no crops to sell, they will be worse off than they were before. This is no doubt a district of big and well-to-do ryots, but there are many small and poor ryots, I believe, in some villages, and it is they who are first and longest affected in times of scarcity. Something should be done, if not to improve, at least not to make worse their condition. Increased assessment will tend to make their condition worse. It cannot be said that these small ryots hold only the worst kind of lands. It will not relieve these ryots

[Mr. Hamid Sultan Marakkayar] [17th November 1922]

if there be little or no increase in some of the lowest tarams. Some fairly well-to-do ryots may also hold very inferior kind of lands, and it is not our object that these should escape proper assessment. Within our settlement rules, I find no remedy.'

"This is the worst feature of the whole scheme, and it is a matter of common knowledge that in spite of the existence of a good number of well-to-do mirasidars in the Tanjore district, the majority of the landholders are poor ryots who come under the category described by the Collector and it is necessary that some safeguards should be provided to protect them from being adversely affected by this most unjust scheme of percentage enhancement which can hardly stand a moment's scrutiny. I am aware the present rules do not differentiate between the rich and the poor, but yet it is not impossible to find a *via media* to safeguard them from being adversely affected. These can be settled in the contemplated legislation and it is one more reason why the legislation should first be carried out before orders are finally passed on scheme reports.

"There are other things such as drainage, cost of labour and all the rest of it, and it is unnecessary now to deal with them. I would, therefore, earnestly appeal to the Government to rescind the orders passed by them on the 25th of August last and to expedite the introduction of the Bill consummately wished for."

12-30 p.m. Mr. V. P. PAKKRISWAMI PILLAI:—"Mr. President, I beg to support the resolution moved by my hon. friend from Bellary, because of the recent orders passed to the effect that our assessment should be increased from the next fasli. First of all, let us see whether the settlement that has been going on without consulting the people has been done properly and equitably both to the Government and the ryot. The previous settlement was, I think, in the year 1894 and that one too seemed to have done only great injustice to the ryots; because the settlement seems to have been based on a certain amount of percentage increase of the tax which they were collecting before, and it was not based on any scientific or equitable basis. That is what the settlement report seems to show. Of course, it is said that the settlement officers are experts who do the thing properly. In 1893-94 we had a settlement officer, and he sent his report after carrying on work in the district and, after all, he ended his estimate by saying that the tax should be increased by 45 per cent. But if it was based on any scientific or equitable principle, the people would have accepted it. Let us then see what the Government did with the expert's scheme report. The Government applied the principle of finding out the increase in the net produce of the land and on that principle wanted to raise the Tanjore district assessment. That is what the report says. The first proposal of the settlement officer by which the assessment was proposed to be increased by 18 lakhs of rupees or by nearly 45 per cent came on them somewhat as a surprise. The proposal of the settlement officer was, therefore, returned for furnishing detailed information for all the taluks, and they got detailed figures on the conditions of three taluks only and the figures for the other taluks were approximations. Thus, after all, they were making calculations on approximate estimates received by them. The Board of Revenue stated that some concession should be shown to the least favourably situated lands and that they should be separately classed. That shows that the quality of the soil and water-sources were not properly classified. So the Board of Revenue recommended only an increase of 14.49

17th November 1922] [Mr. V. P. Pakkiriswami Pillai]

lakhs or 35 per cent. Then again what the Government said was that by such an amount of increase all at once there would be a hue and cry in the district, and so they reduced it again to 11 lakhs. It clearly shows that the experts are not infallible and that they are not also practical. Eventually the Government agreed to an increase of 12.01 lakhs. The Government of India accepted it but questioned the procedure and adequacy of the new rates as an initial basis for future settlements and asked the Madras Government to postpone the settlement for twelve or fifteen years. But what the Madras Government did was this. They said that before the orders of the Government of India were received they had already introduced the new settlement and that they had begun to collect the tax accordingly, and so that became a settled fact. Well, again, in G.O. No. 263, Revenue, dated 11th May 1895, the Government said that they were not satisfied with the resettlement as it does not represent an actual half-share of the net produce.

"Now, again, the resettlement has come and gone, and the hon. the Revenue Member said that Rs. 3,55,384 were being spent on the resettlement operations up to the month of May last. Let us see what is done now in the report of this settlement officer. It is said that the classification that has been done by the previous settlement officer is a mistake, but though it is a mistake, it is not full of mistakes but there are only a few mistakes, and so he does not find it necessary to go into them.

"Then, again, as regards cultivation expenses, the settlement officer does not think it worth while going into the matter except noting that there has been some increase in the price of food-grains. It appears that the increase of price of food-grains during the last 25 years has gone up to 83 per cent. The settlement officer must be warned in making a revision of the assessment not to take into account only the increase in prices. The hon. the Revenue Member said that Rs. 20 lakhs are being spent on the Settlement department. What is the use of this waste of expenditure? They might as well ask the Board of Revenue to gather what information it can and with the details available with them issue an order saying, 'so much is to be paid', and thus the Government will be saved a very great expenditure. What are the benefits of these resettlements? They merely come and go, seek for information or gather information in the way they like and then issue a large report on the information that they receive, saying that there are a few mistakes in the classification of the water-sources which are not of much importance. They only raise the assessment according to the increase in the price of grain, because labour is paid in grain alone. At the same time the settlement officer ought to see what amount of grain wages was given twenty years ago and if it is the same quantity which is given now. Those in the Tanjore district know fully well that there has been an increase of at least 50 per cent of paddy wages given to the agricultural labourers and besides toddy money is paid to the labourers which was not done in those days.

"The settlement report says that deltaic wet land in the Tanjore district was divided into twelve tarams; but the Board says that it is divided into fourteen tarams. Thus it appears that the settlement officer does not know how many tarams there are in the district. There is one instance which I may mention here. The six rupees land which has been supposed to produce 600 measures per acre now produces only 392 measures and some produce

[Mr. V. P. Pakkiriswami Pillai] [17th November 1922]

425 measures. This is said in the report which is presented by the settlement officer himself. If land yielding 600 measures before yields only 392 measures, it means a reduction in the produce to $55\frac{1}{2}$ per cent. So, that clearly proves that the soil has so much deteriorated. It has been said that when this land was put in the hands of the Manganallur farm they have been able to raise nearly the same amount of produce as originally. The Manganallur farm seems to have been raising crops on two or three tarams for about six or seven years. They were able to raise only 90 per cent or 95 per cent of the produce in some instances, as is reported in the present settlement report. In others they were perhaps able to raise a little more than the standard outturn. But here it ought to be taken into consideration as to what expenditure is made on the land cultivated as experimental farms. For experimental purposes they take very good soil and use the best manure, and the best care of the experts that are available under the Government is also bestowed on it. Water is let into it only when it is required and land is not allowed to be submerged or overflowed and is very properly looked after. Even when water is not available elsewhere, they are able to get water in some way or other. What is the use of taking that experiment as the standard? The standard of the Manganallur farm was to find out the best strain of grain that could be cultivated and not to find out the exact amount of produce.

"The report only proves that land in the Tanjore district yielded only $62\frac{1}{2}$ per cent of the outturn which the last settlement officer found out. Without finding out the present condition of the soil, the present outturn and the present expenses of cultivation, to jump up to make a mere increase of assessment would not be fair at all. Again, the report says that 62 per cent of the people are cultivators, of which 65 per cent are pattadars paying an assessment of Rs. 10 and less. So the economic condition of the people is to be taken into consideration. Are the Government to act just like a money-lender who when he lends money to a certain man only calculates interest according to the stipulations and time and does not care to see whether that man is able to pay that amount of interest or not? Well, that may be all right with a money-lender.

"That may be all right for a money-lender. But will it be good for a Government to act in such a manner? When they have not got sufficient to provide themselves with for their own consumption, where are these people to go for the amount to pay their taxes? The Government might say that they are engaged in other work and they must be able to pay the money. But what about the increased cost of living, increased payment of labour and the increase of prices in everything? In fact, in a majority of cases the outturn from their lands is just enough for them. In these circumstances, I request that it may be recommended to the Government that the proposals be postponed until the legislation embodying the principles of land revenue settlement is introduced."

Mr. M. R. SETURATNAM AYYAR:—"Sir, as a landholder having vested interests, I feel bound to support this resolution. This Council had passed two resolutions in February and December 1921, respectively, relating to the postponement of the resettlement operations in the Presidency until the principles involved thereof were embodied in a statute and to the introduction of a permanent settlement in the Presidency. No orders have been received

17th November 1922] [Mr. M. R. Seturatnam Ayyar]

on the resolutions ; but executive orders have been passed enhancing the land tax by 25 per cent and 18½ per cent in my neighbouring district of Tanjore on the report of the settlement officer, and also in the district of Bellary. This only shows how this Council has suffered insult and indignity at the hands of the Government.

" I ask you, Sir, are the landholders only to be taxed to fill the 'common dry pools of Government'? The agriculturist of the Madras Presidency pays more land tax than his brother in any of the sister Presidencies, as also a higher percentage of various local cesses both amounting to nearly 60 per cent. In fixing the rates in the settlement operations, it would appear that Government consider only the rise in the prices of paddy but not always the increase in the cost of cultivation and production owing to labour troubles, the decrease in the yield, the deterioration in the land and the increase in the cost of living. Again, the Government's plea of statistics taken from the documents of grain leases to prove the standard of outturn cannot hold good as the documentary evidence of grain leases gives only proofs and not actual collections. In a majority of cases not even 50 to 60 per cent of the due amounts can be collected. In these circumstances, I request the Council to recommend to the Government that the adoption of resettlement proposals in the Presidency may be postponed. Otherwise the Government will seem to be determined to suck from the landholder the last drop of his life-blood."

MR. S. SOMASUNDARAM PILLAI :—" Mr. President, Sir, I am sure that what I say will be taken as an impartial statement, for I am neither a mirasidar nor a Government servant. Therefore, what I say must be impartial. I know all the mirasidars of the Tanjore district, being a Tanjorean myself. I know all about their lands. Almost all these big mirasidars do not seem to know where all their lands are located. They will be residing in a certain place and their lands will be situated in an out-of-the-way place. Once, I went to a village in a corner of the district and made enquiries. I was told that the land belonged to a big mirasidar and when I asked him how much he paid to the mirasidar he told me that he paid two Tanjore *kalam*s per *mah* (which is one-twentieth of a *veli* or about one-third of an acre). I asked him 'What! an acre would produce between 25 and 30 *kalam*s; only so little you pay to your mirasidar'. He replied that the remainder is shared between himself and the *kariyasthan*. That being the case, who is to blame? Is it the Government? No. We must protest with the Settlement Officer if he makes any wrong assessment and explain everything to him. Many of the districts have been already settled, and how can we now exempt Tanjore and wait till the Act for Permanent Settlement is passed? That is unfair and unjust. All the districts should be settled now and when the Permanent Settlement Act comes let it take effect over all the districts. Survey parties are existing about five in number and they are now being paid by the Government. Are they to be idle at the tax-payers' expense? Of course the landholders complain that they have been highly taxed and they say that the income-tax may be raised so that the money-lenders and the traders may pay. But when you go to them they turn you back to the landholders. Somehow or other Government must go on. The landholders expect maximum comforts and privileges at the hands of the Government without paying the maximum amount of tax. Perhaps there is some difficulty in the case of the petty landholders, for they are getting all

[Mr. S. Somasundaram Pillai] [17th November 1922]

that they can get on their lands by their exertion and labour. For this purpose, as I have said before, we must explain everything to the Settlement Officer. When I asked a villager about a big mirasidar whether his landlord comes to the place and inspects his lands he said: 'how is it possible for him to come because it is impossible that his horse and carriage could come to this place.' So they always visit towns whenever they want to spend their money. Perhaps landholders are dreaming of an utopian Government; this reminds me of a passage in Shakespeare's *Tempest*, which speaks of a commonwealth where there is no assessment, no Government, and where food is produced by nature, and men and, may I add, women too, are idle. Such a sort of kingdom can only be dreamt of by non-co-operators. So I would expect Government to do justice to the mirasidar and I would ask the mirasidar to be reasonable.

"With these words I do not agree with the mover of the resolution."

Mr. R. SRINIVASA AYYANGAR :—"Mr. President, I rise to give my support to the resolution before the House. The hon. the Revenue Member has presented the case of the Government in the strongest possible light with his characteristic eloquence and lucidity of expression. And after having heard his speech I find it absolutely impossible to lay any charge of inaction at the door of the Madras Government. So far as this Government is concerned it appears to have sent up all the papers to the Government of India in connexion with the debate of last December and although about ten months have passed since then, the Government of India does not appear to have issued orders or instructions to this Government. Therefore the accusation of inaction or dilatoriness must be shifted to the Government of India. And if I stand up to support the resolution, it is by way of entering my emphatic protest against the dilatoriness of the Government of India in this important matter. The hon. the Revenue Member told us that if any individual case of hardship were to be placed before him for consideration it would receive at his hands that sympathetic response which the circumstances of the case demanded if the representations were reasonable. It is a big 'if' indeed! And if I understood him aright, he said that the Government were not in a mood to surrender the growing revenue which it thinks it is legitimately entitled to. This is representing one phase of the problem, i.e., the Government point of view of the question. That is perhaps the view of the claimant who wants to press his claim. There is the conflict between the claimant on the one side and the person against whom it is sought to be enforced on the other side. The latter is entitled to protest, rightly or wrongly, against what he considers an impost put upon him.

"Mr. Pakkiriswami Pillai has told us that so far as the resettlement operations in the Tanjore district are concerned, the Government
1 p.m. have proceeded upon wrong lines; reclassifications were considered unnecessary, irrigation sources were not reconsidered, cultivation expenses were relegated to the background and that there is an all-round increase in the rate of assessment by 25 per cent. There is a good deal of force in what he said. If that was all that was done by the Settlement Officer, there was absolutely no justification on the part of this Government to have embarked upon a scheme which, so far as the Tanjore district is concerned, has put them, if I remember right, to a loss of over 3.59 lakhs. All that I submit is that these things have been going on on wrong lines, that the people are not satisfied with the principles

17th November 1922] [Mr. R. Srinivasa Ayyangar]

adopted in the matter of carrying out these settlement operations, and although I am free to confess that from the point of view of Government the depriving it of such a large slice of revenue would be quite unjustifiable, from the point of view of the people who are called upon to pay and who will be immediately affected by this kind of resettlement operations, such a measure as this ought to be quite welcome. I am not enamoured of the policy of the Government. It ought not to be the policy of Government to have its eye always upon the enhancement of revenue. Increased revenue may be thought of under exceptional circumstances and under most favourable conditions, but if circumstances demand and if exigencies require, Government must be prepared to forego its revenue, and must be prepared in a large measure to make some sacrifice; and it has to set at rest the feeling of discontent which has spread all over the country so far as these settlement operations are concerned. It is in this view of the matter and with a view to emphasize this aspect of the case and by way of lodging my caveat against the Government of India that I give my whole-hearted support to the resolution before the House."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"Mr. President, I am behind no other Member of this House in their desire to find a Bill embodying the principles of settlement passed as early as possible. I may also say that I am for securing permanent settlement for our Presidency on the lines suggested already in this House. But at the same time, Sir, I am very sorry I cannot see the logic of the resolution that is now before the House. I can understand a resolution such as this being brought as a sort of censure on the Government. The last speaker has stated that the Government of Madras is not at all to blame in this matter. The Madras Government has framed its Settlement Bill. It was about to be introduced and we wanted at that time to raise the question of the permanent settlement for Madras. Apparently this has complicated matters and the introduction of that Bill has been postponed on that account. As a matter of fact, Sir, I have already expressed in this House last December that the fact that we asked for a permanent settlement should not delay the introduction of the Settlement Bill for the reason that even if we were going to have permanent settlement, there will have to be a general settlement equalizing the incidence of taxation all through the Presidency before anything like a permanent settlement could be introduced. But unfortunately the view was taken that the question of the permanent settlement should be settled before the Settlement Bill was introduced and that has given rise to all these complications. Even at the present moment I am in favour of the policy of having the Settlement Bill introduced, leaving the question of permanent settlement to be decided later on. Sir, if a Bill like that is sent up to the Government of India for sanction, it is bound to take some time and it is not likely that the Bill can become an Act before the end of the current fasli. So the result of accepting the present resolution will be that all the benefits that will arise out of the settlement in districts which are due next year and the year after will be lost. That is to say, at a time when we are all saying that the finances of our Presidency are at a low ebb and when there are several departments calling for more and more expenditure, when departments like education and sanitation are practically starving, at a time like that the result of accepting a resolution like this will be to forego an increased income of something like 20 to 25 lakhs of rupees a year and also to incur an expenditure of about 5 to 6 lakhs of

[Mr. T. A. Ramalinga Chettiyar] [17th November 1922]

rupees to keep up the settlement establishment in places where they can easily be disbanded. So the net result of accepting this proposal will be that for the dilatoriness of the Government of India, as has been put by my previous speaker, we are going to deny ourselves an amount of something like 30 lakhs of rupees.

"Then again, Sir, the present proposal is not a question which involves the whole of the Presidency. In most districts the settlement has been made and they have already to pay enhanced rates. The districts come for settlement one after another in their order and the result of accepting this resolution will be after all to favour a district or two. That is to say, for the benefit of teaching a lesson to the Government, the whole Presidency is to deny itself the income which one or two districts are legitimately bound to pay. That is really what the resolution comes to.

"I may at once state that I am not here to support the particular rates that have been fixed for Tanjore, or for Bellary or Anantapur. I know, Sir, that there is any amount of complaint with reference to the scheme that has been framed for them, but that is a matter which might be gone into closely and carefully by all the persons who are concerned in the scheme, both by the Revenue Department of the Government, as well as by the ryots. I am glad, Sir, that the hon. Member for Revenue stated in his speech that he is prepared to sympathetically consider any representations that may be made to the Government on behalf of the ryots. I would suggest also this. In case the ryots of Tanjore or of Bellary or of Anantapur are not satisfied with the justice that may be meted out to them by the hon. the Revenue Member, I think the course is open that a motion may be made in this Council for the appointment of a committee and that committee can go into the whole scheme and alter the rates fixed. That will practically mean, Sir, that the benefit of the consideration that the committee may give to a Bill like the Settlement Bill can really be applied to the particular scheme that is proposed for either Tanjore, or for Bellary or Anantapur. That, as I said, will have to be done only in case the ryots are not satisfied with what the hon. the Revenue Member proposes to do. But, if as he says he is going to sympathetically consider the representations that may be made and if the ryots are satisfied, there will be an end of the whole thing. If, on the other hand, what he is able to do does not meet with the views of the ryots and if they still feel that they have been very unjustly treated, then, as I said, there is the other remedy of asking for the appointment of a committee of this House to go into the question of the whole scheme. That, as I said, will practically mean the consideration of the principles involved in resettlement. So, there is room, Sir, even for giving effect to the idea of considering the principles of resettlement in connexion with the resettlement of the districts mentioned themselves if the people of the districts concerned are not satisfied with the orders that will be passed by the hon. the Revenue Member. To pass a resolution like this with results which, as I said, are likely to be seriously damaging to the interest of the Presidency as a whole is, I submit, not a proper policy.

"So, I request the hon. the mover of this resolution and my friend from Tanjore to see whether the method I suggested would not meet their case and whether we need pass a resolution like this which is likely to do a lot of harm at the present moment and which, as I said, would not be a proper

17th November 1922] [Mr. T. A. Ramalinga Chettiar]

procedure to follow, when the Madras Government have really done their best to carry out what we wanted, viz., to introduce the Settlement Bill, or to give effect to the proposals regarding permanent settlement. So, with these few words, Sir, I would request the hon. the mover to consider whether he should really press this forward and in case he wants to press it, I am sorry, I will have to vote against it."

Diwan Bahadur M. KRISHNAN NAYAR :—"Sir, I sympathise very much with the spirit underlying this resolution, but I am afraid that if this Council were to vote for it, the consequence to the general tax-payer of the Presidency, even if it be not disastrous, would not in any case be very beneficial. No doubt, it is the aim and object of the Members of this Council, excepting a very few, to see the permanent settlement introduced into this Presidency and I myself was one of those who spoke and voted in favour of the permanent settlement resolution when that was brought forward and discussed in this Council. But frankly I may say, Sir, that I am not very hopeful that the higher authorities will permit the introduction of a permanent settlement, however much we may wish for it. In any case, we have learnt from the hon. the Revenue Member that although all the papers relating to the discussion on the permanent settlement resolution and also the papers relating to the Bill that has been drafted have been sent up to the Government of India, they have not yet sent a reply to this Government. We do not know when the reply will be received. The hon. the Revenue Member told us to-day that he is doing all that he can to expedite—if this Council wants it—the introduction of the draft Resettlement Bill, and when that Bill is introduced and according to the final shape it may take, I may say that this Council will have some power over the Government in respect of resettlement rates. But what we are concerned with at present is to consider whether, having regard to the fact that these papers are still pending with the Government of India and that it is very probable that the introduction of this measure into this Council and the final passing of that into law will take probably a very long time, it is wise and desirable to put off the collection of all taxes as per resettlement rates. In view of the present financial condition and the various needs of this Presidency, I do not think it will be fair either to the Government or to the ordinary tax-payer of this Presidency to put off the settlement in all districts. No doubt, the people of Tanjore, Trichinopoly and some other districts where the settlement operations are now pending, may have a reasonable complaint against the recommendations of the Settlement Officer and against probably the orders which the Government wish to pass on them. But the hon. the Revenue Member has stated that the Government are prepared to receive a deputation from the people concerned, from the mirasidars of the Tanjore district and others, and to listen to all their reasonable requests. Of course there may be difference of opinion between what the Government consider as reasonable and what the people may consider as reasonable. But that is another matter which has to be settled after discussion between the members of the deputation and the hon. the Revenue Member. So that, seeing that the hon. the Revenue Member has assumed that attitude of listening to what he considers to be the reasonable recommendations and requests of the deputation, I believe that the larger interests of the country require that this resolution should not be allowed to go forward.

[Mr M. Krishnan Nayar] [17th November 1922]

“The true interests of the Presidency require that this resolution of my hon. friend Mr. Rangauatha Mudaliyar should not be accepted
1-15 p.m. by this House. It has been stated that ten lakhs of rupees have been spent upon the settlement operations in Tanjore, Trichinopoly and other districts and it has also been stated that the loss of revenue by adopting the resolution will come to 25 lakhs. In the present state of our finances 25 lakhs is not a small amount and I think it will be an unnecessary sacrifice of revenue if the resolution were to be passed. With these observations, as my hon. friend Mr. Ramalinga Chettiyar has said, if the hon. mover of the resolution does not think it fit to withdraw his resolution, I shall have to vote against it. That I believe would be the wise course.”

Mr. S. T. SHANMUKHAM PILLAI:—“Sir, the resolution that has been moved does not mention any district where the proposals should be suspended and it is clear that resettlement proposals cannot be postponed in all districts. Probably the hon. the mover intends to urge this general proposition taking for special consideration the districts of Bellary, Anantapur and Tanjore. As regards Bellary and Anantapur, the conditions are growing better than they were some time back, and in Tanjore it has been pointed out how the proposals work a great hardship. There are bound to be in these matters individual cases of hardship which we cannot easily avoid. We have the most sympathetic Revenue Member that we ever had and he will give his best attention to the case and correct the error.

“As regards the whole question of the *modus operandi* followed by the Settlement Department referred to by my hon. friend Mr. Pakkiriswami Pillai, I agree that the original principles of fieldwar settlement are not followed. They are impossible to be followed and therefore require changes. Hence the necessity for introducing legislation for permanent settlement has been admitted and acknowledged on all hands. I have heard the speech of the hon. the Revenue Member. I was one of those members who sat in the Select Committee. I have recorded my opinions regarding the proposals of permanent settlement. But I think we have no chance of the Bill being introduced in the House in the near future. The hon. the Revenue Member has been saying that the matter is pending before the Government of India. We do not know for how many years it will be. If only the hon. Member would take the responsibility of fixing a certain time himself he could do so. But we can only press him to do what he can in the matter. It seems to me that it is not a wise policy to interfere with the schemes already prepared and sanctioned by Government. The settlement proposals with reference to the districts already settled only await the levy and hence it is but proper that we can press for fresh proposals of settlement or resettlement being postponed pending legislation embodying the principles of land revenue settlement. If the Government go on at this rate taking up one district after another settling it in their own way and increasing land revenue, where are we to cry halt? Supposing we get the sanction of the Government of India and the Secretary of State for the measure in a year or two, then the question would be how to reduce the demand of a settled area and how to reduce the settlement of the whole province to a uniform category. Supposing Tanjore is settled to-morrow; according to the present rules, no proposal for resettlement of that area can be brought for thirty years more. That is a very long period to wait. We cannot reduce the period, for that is a contract which cannot be violated. Every district

17th November 1922] [Mr. S. T. Shanmukham Pillai]

will have to wait till its own term of thirty years is over. But what we look for from the Government is that all the districts must be taken together and one uniform principle for computation and assessment based upon twenty non-famine years should be adopted. If on the other hand the Government are to go on *ad infinitum* settling district after district, there is no chance of introducing a Bill for permanent settlement. Unless the Government stop the introduction of settlement proposals in areas till now unsettled, there is no near chance of the Bill hoped for being passed, even if it gets the sanction of the Secretary of State and the Government of India. I wish therefore, Sir, to confine the scope of the resolution to fresh resettlement proposals, and I do not know whether I would be in order in proposing an amendment at this stage to insert the word 'fresh' before 'resettlement proposals' in the resolution. As it is, I do not support the resolution."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Sir, I do not know if the hon. mover of the resolution has accepted the invitation of my hon. friends from Coimbatore and Malabar asking him to withdraw the motion before the House. (Cries of 'No'). Well, Sir, he has indicated that he is not going to withdraw. I am glad to be able to tell him that I am in agreement with him and that I wish to support his resolution. Sir, this resolution does not ask for the complete abandonment of resettlement proposals either in the Tanjore or in any other district. It suggests that the adoption of the resettlement proposals may be postponed pending legislation regarding the principles of land revenue settlement or the introduction of permanent settlement of holdings. If I think it necessary to support this resolution, it is because I feel that the difficulties pointed out by the hon. the Revenue Member, though difficulties which are worth serious consideration, are not such as to deter us from expressing our acceptance of this resolution. It is true that this is not the time when we can curtail useful sources of revenue or afford a wasteful expenditure of public funds. But it is of greater importance that the methods adopted for the realization of revenue are such as will meet with the acceptance of this House. This House, by an overwhelming majority, voted for the introduction of permanent settlement. We were told that proposals were sent up in December and that reply had not yet been received from the Government of India. I am not in a position to know exactly the inner workings of the departments of either the local Government or the Government of India; but, still, Sir, I doubt whether during this period of eleven months no correspondence has been going on between the two Governments. If no correspondence has been going on between the two Governments, I would ask whether the local Government within the period of eleven months have not thought it fit to issue special reminders, to make special representations and to point out to the Government of India that the delay in the introduction of the Bill for land revenue settlement is due to the question of permanent settlement having been raised in this House and that orders have not been passed. If this procedure had been adopted, if the local Government by persistent reminders and special representations had brought to the notice of the Government of India the foremost necessity of passing orders, I think we might have had a different state of things. In the absence of information, I cannot point out to any specific reason. But, Sir, it should be pointed out to this House that it will be only acting consistently with the opinion it expressed on the former occasion about the

[Mr. A. S. Krishna Rao Pantulu] [17th November 1922]

desirability of the introduction of permanent settlement if it presses upon the attention of the local Government and through it of the Government of India the necessity for passing orders thereon before any further resettlement proposals are adopted in this Presidency. Sir, it has also been pointed out that a Bill has been prepared for the purpose of codifying the principles of land revenue settlement, that it was prepared after consultation with several representatives of the landed interests and several non-official gentlemen and that it could not be introduced owing to the resolution regarding permanent settlement. I can appreciate the difficulty. I think it is proper that when a resolution upon a more momentous question has been passed by this House, the Government should want to and know exactly how that question should be dealt with before another Bill of a cognate nature is brought forward. I can appreciate the action of the hon. the Revenue Member in having postponed its pending consideration of the bigger question; but I am not satisfied that either the Government of India have done justice in not replying or that the local Government has done justice by not hurrying them up to come to a decision in this matter. Sir, this resolution suggests postponement pending the introduction of the Bill. I consider that no prejudice would be caused to the revenues of this province if even from this time forward special measures were taken in the direction. I quite realize that the introduction of permanent settlement cannot be realized in a day. I quite admit that when once the principle is adopted, we shall have to make some elaborate preparations for levelling up the reductions, as has been pointed out by the hon. the Revenue Member. I also appreciate that even after introducing a Bill, it will have to pass through various stages and delay will be caused. But what would be the position of affairs if orders were passed upon the resettlement proposals without knowing exactly whether the Bill will come into operation or whether a permanent settlement is going to be an established fact. I think the position would be more irksome if, pending consideration of this question, we hurried up the resettlement proposals. The suggestion made by some hon. Members that the people of the affected districts might well accept the assurance of the hon. the Revenue Member that he will receive a deputation and consider the representation in a favourable manner need not deter us from accepting this resolution. For that is a different question altogether. I am sure the hon. the Revenue Member will receive that deputation in a sympathetic manner and will render justice. But that is upon the basis of the present proposals and upon the basis of the present defective scheme reports. That is not what the resolution asks for. We are here not so much for the purpose of considering the rectification of some errors made by the Settlement officers or by the Member for Revenue in particular cases. But we are for suggesting a definite policy in matters affecting land revenue settlement. If this resolution aims at anything, it is not to rectify some of the orders passed by the officers of the department, which will surely be rectified, thanks to the sympathetic attitude of the hon. Member for Revenue, but it is to get a definite revenue policy adopted by the House in the matter of land revenue settlement. With these words, I strongly support the resolution."

At this stage the House rose for lunch.

The House re-assembled after lunch at 2-30 p.m.

Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I beg to support the resolution now before the House. In doing so, I may say that when I first

17th November 1922] [Mr. C. V. Venkataramana Ayyangar]

saw the resolution on the agenda, I thought consistency required that the resolution should only be formally moved and seconded and after formal opposition by the hon. the Revenue Member, the resolution would be easily passed. It was under these circumstances, Sir, I thought there would be no necessity for any speeches in support of this resolution. The speeches of some of the hon. Members tend to show that the hon. the Revenue Member with his ever-sympathetic attitude has been trying to make some converts to his cause.

“One of the chief objections raised is that this matter is pending before the Government of India, and that therefore we should sit down with folded hands without doing anything. I do not know whether that is an argument in favour of or against the resolution. I am under the strong impression that that is a very good argument why we should carry this resolution to-day. The Government of India with its empty pool do not want to have an empty pool here also but wants to have the coffers of the Local Government as full as possible so that they may draw upon it. I do not know who is responsible for the delay in passing final orders on the permanent settlement resolution. However, if we are really earnest about the introduction of permanent settlement, and if we act consistently with the resolution passed by us already, then it is our bounden duty to compel the Government to come to an early conclusion on this point. I think one of the strongest ways of compelling the Government of India to pass early orders would be to pass this resolution unanimously and also to see that the Local Government accepts it. That would be one of the strongest inducements to the Government of India to come to an early decision on the matter. If the delay on the part of the Government of India is taken as an excuse for the introduction of resettlement proposals in district after district, then I am afraid that for some reason or other, the correspondence between the Local Government on the one hand and the Government of India and the Secretary of State on the other might be made pending for a very long period. The delay on the part of the Government of India which has been pleaded as an excuse by the hon. the Revenue Member as well as a few of his supporters from among the non-officials is one of the reasons why we should insist on the acceptance of this resolution by the House.

“The second argument that has been used—of course not for the first time by the hon. the Revenue Member—is that we will be losing a very large amount of income by the postponement of resettlement proposals. In fact, that is the very reason why we want the introduction of permanent settlement. His argument to-day against the adoption of this resolution was but the thin end of the wedge for putting off the introduction of the permanent settlement for all time to come. When once the resettlement proposals are introduced in one district, there will be no end to them; district after district will be subjected to them. It will be something like a circle—I do not call it a vicious circle—and no district can escape from being caught within the same. If we are to argue that because we have spent large sums of money on settlement operations, we should not stop the resettlement proposals, then I am afraid there will be no end to these proposals. If really the permanent settlement is to be introduced in the near future, then it is time that these resettlement proposals are stopped. If we attach any weight to the words of the hon. the Revenue Member and to those of my hon. friend Mr. Ramalinga Chettiyar who seems to have changed his mind about this matter, and if their arguments are to be accepted, then we might as well withdraw this resolution.

[Mr. C. V. Venkataramana Ayyangar] [17th November 1922]

We are not in the secrets of the present Government; we do not know whether the Local Government like permanent settlement or whether the Government of India like it. Nor do we know whether final orders are to be passed by the Government of India or the Secretary of State. Therefore we must strengthen our hands by passing this resolution, and we must say that no resettlement proposals should be given effect to in any of the districts unless final orders are passed on the correspondence pending with the Government of India.

"My hon. friend Mr. Ramalinga Chettiyar asked why we should not pass a Bill without the permanent settlement. I believe all are aware of the proverb '*marriage without tali*' and this would apply to a Bill which is passed without the introduction of permanent settlement. So far as the non-officials of this House are concerned, there will be no question of settlement without provision being made for permanent settlement. Therefore consistently with our previous resolution, we should see that a Bill is soon brought for the introduction of permanent settlement into this Presidency.

"The hon. the Revenue Member pleaded as an excuse for his not accepting the resolution the fact that final orders have not yet been passed by the Government of India. The question now at direct issue is the one in Tanjore district. I have very carefully gone through the settlement report so far as this district is concerned; and if any tangible arguments are necessary in favour of the introduction of permanent settlement in this Presidency, one has only to read from beginning to end of this report. In this district of Tanjore we had settlement thirty years ago when we were all young. We heard loud cries even then that that settlement was a heavy burden on the mirasidars of Tanjore. To-day what do the settlement officers propose? They propose to increase the existing rates by 25 per cent, and they call upon the mirasidars to accept that additional burden. I think that 25 per cent is a very heavy increase, and it is absolutely necessary that we should have a permanent settlement immediately.

"We have been told that we have got a very sympathetic Revenue Member, and that only we have to narrate our grievances, when they would be instantly redressed. I am afraid, Sir, that the hon. the Revenue Member is only sympathetic in words and not in action. When the question of finance comes, not one word is said in our favour. After all words are words, and they cannot be taken as equivalent to action. I will give a concrete instance regarding this. In Tanjore we have got a Collector with great experience. He made certain recommendations in favour of the poor ryots of that place. I am often told, Sir, that very great weight is attached to the words of the man on the spot. In the present case the strong recommendations made by the Collector, the man on the spot—I am not bringing in here the question of the nationality of the Collector—were not heeded, but the voice of the man sitting here in Madras has prevailed. The Collector made very strong recommendations in favour of the small pattadars, but the Government passed final orders on the resettlement proposals without caring for those recommendations. When the recommendations of a high officer on the spot, of an officer who has very great experience of the district and who has carefully gone into the matter, have not been cared for by the Government what hope is there for the mirasidars of the Tanjore district unless permanent settlement is introduced. No doubt there will always be a sympathetic hearing of the grievances, but they will not be redressed. I therefore think that, consistently with our previous resolution, we should accept the present proposition

17th November 1922] [Mr. C. V. Venkataramana Ayyangar]

unanimously. I also appeal to the hon. the Revenue Member to be consistent with his previous action and accept this resolution. When the first resolution on this point was passed, the hon. the Revenue Member practically accepted that proposition."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"I did not accept the previous resolution, Sir, but I opposed it."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I mean, Sir, that after the previous resolution was passed by the House in spite of the opposition of the Revenue Member, the Government practically accepted that resolution and acted upon it and did not pass for some time any new settlement. In that sense, I mean that the previous resolution was accepted by the Revenue Member. I therefore appeal to the hon. the Revenue Member to be consistent with his previous action and to accept this resolution and not to use his acceptance of the previous resolution for opposing the present one. There has been some correspondence between the Government of India and the local Government, and final orders are likely to be passed soon. We have no inkling as to what the Government of India may do. Probably the Revenue Member knows it, and probably it is on account of that knowledge that he possesses that he is opposing the present resolution. Whatever it is, this resolution is one which deserves to be accepted by the House though not unanimously at least by an overwhelming majority."

Mr. T. SIVASANKARAM PILLAI:—"I beg to support the resolution that is now before the Council. Land revenue is an important source of revenue for the Government. It is due to the general tax-payer that this taxation, the levy and the collection of it, is subjected to legislative enactment as soon as possible. This is a principle which has been accepted by all, from the House of Commons downwards to this Government. In fact, the hon. the Revenue Member says that he has a Bill ready at hand; he is very willing to introduce it, but he has not the power to do so. He pleads several excuses: he says 'there is your permanent settlement resolution in the way of our bringing the Bill to the Council. The Government of India have not yet passed final orders on that matter.' But what does it matter to the general tax-payer? What he says is this: 'I am paying a certain tax: you are asking me to pay it without representation; taxation without representation is robbery, and why do you rob me of my money?' That is what the general tax-payer says. And what does the hon. the Revenue Member say? He says: 'It is not on account of my fault that I do not bring forward this legislation, but it is that of the Government of India; meanwhile let me be allowed to rob.' That is where matters stand. This resolution seeks to ask the Government to bring this principle into operation in respect of this important item of taxation. No doubt there is a resolution proposing that permanent settlement ought to be introduced. At the same time, we want that the whole system of land revenue should be regulated by legislative enactment. This is thrown to the background.

"We want that the Bill regulating the principles of taxation should be introduced at once. It may be that the hon. the Revenue Member has good reasons and excuses to throw the blame upon the Government of India. This resolution only seeks to hasten the introduction of the Bill. The position of the hon. the Revenue Member reminds me of the story of the *Æsop's Fables* where the cheese is divided between the cats by the monkey. He says, we shall go on with the permanent settlement question; but meanwhile let me have the 25 lakhs every

[Mr. T. Sivasankaram Pillai] [17th November 1922]

year. We are paying 345 lakhs every year to the Government of India. The tax-payer is deprived of that amount every year. Is not the Government doing without that sum? Can't it also do without the 25 lakhs till the measure is enacted? Because it involves the question of principle, viz., the ryot's welfare, the Bill should be introduced as soon as possible."

The hon. Sir CHARLES TODHUNTER :—"Mr. President, we have listened to the appeals of the Oliver Twist of the Ceded Districts who, having succeeded in securing a postponement for one year, now comes forward to ask for more. We have listened to the pitiful pleadings of the plutocrats of Tanjore until, I think, we are in danger of losing sight of the real question that is before the House.

"The settlement rates in Anantapur or Tanjore are not in question. We are not considering whether Tanjore is going to lose all the silt which fertilises its land, though I should like to remark in passing that the silt cannot all stop in the Krishnarajasagara reservoir without filling it up and rendering it useless. What we are now considering is the question put by Mr. Ramalingam Chettiyar whether we are going to give most-favoured district treatment to these districts at the expense of the rest of the Presidency. Mr. Venkataramana Ayyangar asks us to be consistent. I say we are and have been consistent. It is the Council that has not been consistent. What is it that the Council wants? First of all they say, 'reduce the present principles of settlement to legislation'. We attempt to do so. Then they say 'No, we do not want that. We want permanent settlement.' Very well. We address the Government of India. Now, what is it they want? Is it a permanent settlement or is it legislation embodying the principles of temporary settlement or is it a postponement in favour of those particular districts?

"At the risk of being wearisome, let me again state the history of the case. The Decentralisation Commission recommended that our settlement rules should be made statutory. The Joint Parliamentary Committee renewed the recommendation. We were prepared to carry out the wishes of the Joint Committee, but the Council rendered our efforts nugatory by saying they did not want the existing principles crystallized. They wanted instead a system of permanent settlement. We forwarded their request to the Government of India. We have not failed to keep in touch with that Government as regards the action taken, as the Council themselves are aware, seeing that a question was asked by Mr. Siva Rao at the September meeting. We have thus done everything we could to meet the wishes of the Council, but since there is obviously no immediate prospect of orders being received, we have felt bound to carry on with the old system until a new system is devised. The hon. Mr. Sivasankaram construes that continuance as giving the hon. the Revenue Member a permission to go on robbing. It is nothing of the sort. We have one system of taxation. The Council wish to replace that by another system of taxation. All we ask is that the old system should continue until the new one is ready to replace it."

Mr. T. SIVASANKARAM PILLAI :—"It is not a system that is now in existence."

The hon. Sir CHARLES TODHUNTER :—"Sir, I think the whole Council will recognize that the system of land revenue settlement in force is a system which has been inherited from the predecessors of the British

17th November 1922] [Sir Charles Todhunter]

Government and carried on and improved ever since. Any attempt to put a stop to that one, two or three years before we have got a substitute ready could only lead to confusion as regards the intervening period.

" Mr. Seturatnam Ayyar says that this action involves an insult to the dignity of the Council. I hope that the voting on this resolution is going to show that far from that the Council endorses the commonsense and businesslike view which the hon. the Revenue Member has taken of the case.

" If we omit the special pleas of the representatives of the districts directly affected, what are the arguments that have been put forward in favour of postponement? I have listened with great care to the speeches this morning and have been unable to find any reason of substance advanced against the action taken by the Government. Mr. R. Srinivasa Ayyangar acquits us of any charge of inaction. He says it is unthinkable to deprive the general tax-payer of so large an amount of income as that involved, but he would still dispense with it as a protest against the failure of the Government of India to pass orders. Mr. A. S. Krishna Rao apparently takes a similar view which he bases on an opinion, for which he has no warrant, that we have failed to send reminders to the Government of India. He would have the tax-payer lose 25 to 30 lakhs a year as a punishment for the supposed laches of his servants, the Government, in failing to send reminders. Mr. Venkataramana Ayyangar says that the natural people to take the punishment are the Local Government. I would point out to him that he is not going to get 25 or 30 lakhs a year even if he dismisses us all. His other alternative that the Council should cancel its resolution in favour of the permanent settlement is much more practical.

" Sir we have listened in the last few days amid enthusiasm unparalleled in this Council to a chorus of speeches in praise of two nation-building measures introduced by the hon. the Ministers. But I would like to ask if the hon. Members who have supported this resolution have considered how these nation-building measures can go on without the silver bricks that make the walls. I know that hon. Members think that we are going to get them by pulling down old buildings; in other words by means of retrenchment. But after all you cannot pull down buildings that do not exist and I am greatly afraid that, if resolutions of this sort are going to be passed, the Council will be sorry that it has entrusted so many Geddes axes to the members of its Retrenchment Committee. What the hon. the mover, who is one of them, is retrenching is not expenditure but revenue. He is trying to cut off the branch of the tree on which he and all the rest of us are sitting."

Mr. T. SIVASANKARAM PILLAI :—" He was aiming at preventing the killing of the goose that was laying golden eggs."

The hon. Sir CHARLES TODHUNTER :—" I am afraid, Sir, that he made a very bad shot.

" Finally, Sir, I should like to say that by this resolution the hon. the mover seeks to do what by a Bill he could not do without the sanction of the Government of India. Under the Reservation of Bills Rules printed on page 179 of the Council Manual the Governor is required to reserve for the consideration of the Governor-General in Council any Bill affecting the land revenue of a province so as to prescribe a period within which lands may not be reassessed to land revenue if such prescription is likely seriously to affect the public revenue of the province. This resolution,

[Sir Charles Todhunter]

[17th November 1922]

if passed and given effect to, would affect the revenues of the province to an extent of 25 or 30 lakhs of rupees a year by exempting certain favoured districts which are due for it from reassessment for such period as the Council should fail, whether through the fault of this Government or the Government of India or otherwise, to pass legislation prescribing some system of settlement that should be statutory."

Dr. P. SUBBARAYAN :—" I hope Mr. Ranganatha Mudaliyar will see his way to withdraw his resolution. He is a member of the Finance Committee and so he should be aware of the predicament the financial condition of the Presidency is in. Here is a good chance of the Government getting 25 lakhs of rupees according to the statement of the hon. the Finance Minister. The hon. the mover wants to take that away. I do not think it is equitable to do away with such a large sum. There are districts which are paying a higher proportion of revenue, and I do not see why Tanjore should get any special favour. I am against any special favour to any tract. I can understand why the hon. the Revenue Member accepted the resolution with regard to Anantapur, Bellary and Cuddapah, because they are famine-affected districts. Such considerations do not apply to Tanjore. Tanjore has a perennial source, namely, the Cauvery, which brings in silt from my own district to Tanjore."

Mr. V. P. PAKKIRISWAMI PILLAI :—" Not the whole."

Dr. P. SUBBARAYAN :—" It takes away all the silt from the Salem and the Coimbatore districts. When such is the case I do not see any reason why the hon. Member should concern himself with profiting Tanjore at the expense of the State. I think we ought to think twice—nay, thrice—before accepting a proposition of such a nature. We in this Council have to support the Ministry in power. After all, the progressive subjects are with the Ministers. If you are going to take away such large sums of money the Reserved Departments do not care, and the work of the Ministers will suffer. Then the members of the Legislative Council will learn a lesson. In these circumstances I appeal to the hon. Members to vote against this resolution. With these words I oppose the resolution."

Mr. A. RANGANATHA MUDALIYAR :—" You might remember, Sir, that when I first moved the proposition I did not plead for any

3 p.m.

particular district or districts. I pleaded for the application of certain general principles to all districts alike without any favouritism or partiality whatsoever. I did not like to elaborate my reasons for the codification of the principles of land revenue settlement. But my friends Messrs. Pakkiriswami Pillai and Hamid Sultan Marakkayar have, I think, sufficiently justified the necessity for such codification. They have pointed out how in the resettlement of districts even elementary principles are forgotten. For example, the resettlement officers don't take into account the actual cultivation expenses. They don't estimate the yield of the lands in the proper way, and then they don't make sufficient allowance for the cost of living and for many other disadvantages which cultivators are constantly labouring under. My submission, Sir, is not altogether unfounded. If you turn to the speeches made on previous occasions you will find confirmation for my statements. It is enough to refer only to two speeches: One is that of the hon. Member Mr. S. T. Shanmukham Pillai, who, at any rate, can not be accused of any lack of love for the Government. He said that he could find no principles, no consistency in the various resettlements that were

17th November 1922] [Mr. A. Ranganatha Mudaliyar]

being carried out in the country. The other speech is that of the hon. the Minister for Education. He said that his district was settled by a very sympathetic officer who wanted to deal out justice but that the latter was precluded from doing so by the existing rules of resettlement. My idea is that this method of resettlement which is based upon no principle and which even a sympathetic officer cannot manipulate in order to administer justice to the districts concerned, should be modified. It was with that object that the first resolution was first pressed here and accepted by the House. Much is made of the fact that later on there was a resolution here requesting that permanent settlement might be introduced. I ask, Sir, is it a sin that the House emphasized the goal we have all in view? We have been asking for permanent settlement for very long, and Mr. Krishnan Nayar stated that even from the days of his childhood this question was being agitated for.

"Suppose we had not made that demand; then, the Government might have said to us, 'Well, the Bill was placed before you; you never told us that you wanted permanent settlement and you cannot ask for it now or hereafter.' As Mr. Ramalingam Chettiyar said, it was the only course left to us. The Government should have brought the Land Revenue Settlement Bill before the Council and seen what the Council had to say in the matter. If that Bill had been introduced the House might not have pressed for permanent settlement at all. We do not know even now what the Bill is going to be. If we had seen the Bill and were satisfied that there was no necessity for a motion for permanent settlement, we might have withdrawn the motion we were then making. Sir, I am not now asking the Government to do something drastic, or something new. In fact, I only want them to revert to the position they occupied last year. What was the position last year? We did not want the new rates of assessment to be introduced in any district pending suitable legislation. The Government accepted the position then. Why have they changed their attitude to-day? They say that because we asked for permanent settlement, they cannot postpone resettlement operations. It is, to my mind, an untenable position.

"There are some misapprehensions with regard to the resolution before the House. Some hon. Members said that because resettlement rates had been introduced in certain districts, there was no reason why they should not be introduced in others. That seems to be a very vicious argument. At this rate there will be no end to the present unjustifiable method of resettlement, and no district will escape the sad fate that seems to be in store for all districts alike. The object of the resolution is not necessarily to bring about a reduction in the rates of assessment. Nobody has advanced the proposition that the rates prevailing in any particular district should not be enhanced. If we codify the principles of assessment and then find that the rates prevailing in certain districts need enhancement, by all means let them be enhanced. After the enactment is passed, we may find very good reasons for increasing the rates either in Trichinopoly or Tanjore or other districts. If the result be like that, I for one am quite prepared to accept it without any hesitation whatsoever.

"I want the Members of the House to take a broad view of this question. Let them not look at it from the point of view of their particular districts. If a particular district has high rates, is that a reason why other districts should also suffer? After the Bill is introduced and passed into law, and if by the standard laid down in the Act we find that the rates in certain

[Mr. A. Ranganatha Mudaliyar] [17th November 1922]

districts are very high, what is there to prevent the Members of those districts or other Members from introducing a resolution or taking other steps to reduce the rates prevailing in those districts? There is bound to be a certain levelling-up and levelling-down process.

“As regards the cost of settlement parties, I do not see why they should continue to work in the districts where operations have been completed. They may be taken away from such districts and sent to other districts to do whatever work they may have there. In the fair adangals and draft pattas, the column of rates of assessment may be left blank and, when the Land Revenue Bill becomes an Act, it will be time enough for the blanks to be filled according to the principles embodied in the Act. At any rate, we shall not require the whole of the establishment which is now working to do that part of the work which remains to be done. I do not in the least think that the proposed Bill is necessarily going to mean reduction of assessment or its enhancement. I do not know what the result will be. All that I plead for is that we must have a fair standard by which the land revenue assessment in this Presidency must be regulated.”

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—“Sir, I feel that my task has somewhat been lightened on account of the very impartial and common-sense view which has been taken by some of my hon. friends in this House. I notice that they have put the question from a very reasonable standpoint, and they are able to perceive at the same time that let it be not said afterwards that what was sauce for the goose is sauce for the gander as well. For, the House will remember the most vehement advocates of this resolution to-day are those who will be immediately affected by the scheme reports on which Government have already passed orders—I mean the reports from the Ceded Districts and that poverty-stricken district of Tanjore! I can quite appreciate the feelings of these representatives when they come up into the House and plead the cause of their constituents. For, I know they are in direct contact with those people. It is their duty to hear their representations and it is likewise their duty to serve as their mouth-piece. Well, at the same time, the House as a whole has a certain degree of responsibility, more important than that centering within that limited circle of the chosen representatives of one or two districts of this province. I, therefore, ask the House as a whole to view the question from that standpoint of its joint responsibility to the province.

“My friend opposite, the hon. mover of this resolution, has again started the question of inconsistency on the part of the Government. I do emphasize that there has been no inconsistency whatsoever on the part of the Government. On the other hand, their policy throughout, from February 1921 down to this moment, has been to carry out as far as possible the wishes of this House. When in spite of their opposition in February, when after the Government represented how undesirable, how inequitable, how financially wrong it would be to postpone all resettlements until the principles of resettlement had been codified, this House passed a resolution by a majority, Government considered that that resolution deserved their respect. Accordingly they decided to postpone resettlement and expedite measures for the purpose of introduction of that piece of legislation. But subsequently, as has been very pointedly mentioned by my hon. colleague, the Finance Member, the Council changed their own attitude, their own mind, their own views, their own ideas and came up before this House and said ‘no, let us

17th November 1922] [Sir Muhammad Habib-ul-lah Sahib]

not think of resettlement being codified or not codified, but let us think of permanent settlement.' The Council having passed a resolution on permanent settlement, the Government again had to consider it; and what did the Government do? The Government did not merely record the papers and the debate that took place. On the other hand, they carried out the wishes of the House by transmitting them to the quarter from which and from which alone final orders could emanate. When opposing the resolution on permanent settlement, they did not keep the House in ignorance of what was likely to be the consequence of the action of the House, but considered it necessary to sound a note of warning simultaneously and told the House that 'if you, contrary to your previous resolution, contrary to your desire for legislation, are now going to change your mind and pass a resolution for permanent settlement, please take it from us that this will absolve us absolutely of any responsibility to postpone further settlement operations'. These words, Sir, were uttered in December 1921; and it is in pursuance of a policy which was notified publicly, notified publicly by a Member of the Government, that the resettlement operations are now going on. To say now, Sir, that Government has been inconsistent, to suggest that Government have allowed recommendations of this House to be cast to the winds, is not speaking the truth nor is consistent with facts."

Diwan Bahadur P. KESAVA PILLAI:—"Is it parliamentary language, Sir, to say that a Member is untrue?"

The hon. the PRESIDENT:—"The hon. the Revenue Member said that the hon. Member's *statement* is not true."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur: "Yes, Sir. I, therefore, maintain, Sir, that our present action is perfectly consistent and in conformity with the views which Government have already expressed in this House.

"Then, a good deal of the arguments of the members representing the Tanjore district was devoted to a critical and analytical examination, if I may say so, of the whole scheme report of the Tanjore district. Various arguments are advanced against particular orders which have been issued by Government on that scheme report.

"As I have already informed the House, the public meeting which was held in Tanjore on the 12th of this month has decided to send a deputation to wait upon the Government to make their representations. I am afraid the representatives from Tanjore have done their friends in the Tanjore district rather a piece of injustice by having already exposed the line of argument which they are going to adopt in their deputation. I think they have prejudiced their own case. However, I shall not be guilty of answering any of the arguments, but wish to reserve them until I hear the deputation.

"Then, Sir, it has been said from more than one quarter that the resettlement proposals are more or less arbitrary; that they are based on no rational rules; that there is nothing like a sense of proportion; that it had better be scrapped immediately even though no better system can be evolved; and that just at the present moment let there be an interregnum between the death of the present system and the birth of the new one, no matter how long that interregnum might last, no matter what the loss of revenue that is likely to result might be, no matter what the expenditure involved by

[Sir Muhammad Habib-ul-lah Sahib] [17th November 1922]

that process until now might be. I think it is but paying a poor compliment to our predecessors when we say that the system we are working is so faulty, so bad and so unworkable. The periodicity of resettlements was started so early as 1857, and since the year 1869—I am prepared to confess so far as I am concerned—men who possessed greater interest in their country, of more robust mental acumen, of greater spirit and patriotism, have been agitating for one sort of reform or other in the matter of resettlement. The Government have from time to time made note of such suggestions and have carried forward many a reform, many an improvement that has been suggested to them from time to time. To say that there is nothing in the present system of a satisfactory nature to continue to work upon in these days of reform is, I think, rather unreasonable. Then, Sir, as regards the method of resettlement in the Tanjore district on which there has been a great deal of complaint, it has been asserted: ‘What has happened in our district? The special settlement officer says he is not going to bother with the reclassification of soils; the reclassification of water-sources is none of his business and he is not going to recalculate the cultivation expenses and that he will merely be guided by one test, that test being the rise in prices and so on.’ I suppose hon. Members representing Tanjore as well as other hon. Members are aware that, that has been exactly the system in this province since 1904. In the year 1918, the Government scrutinized the results of the new system and enforced that system throughout the province. They only permitted the reclassification of soils and of water-sources in exceptional cases. Barring exceptional cases, the resettlement was based on the rise in prices. I merely mention this to show to the hon. Members from Tanjore that they have no special grievance in this case. This system has been in vogue since 1904, and this was adopted more or less on representations which had been made from different quarters that in the reclassification of soils, water-sources and the calculation of cultivation expenses, various officers adopted various methods, and that brought about, so to say, a disparity in the incidence of taxation and, therefore, one uniform method, one uniform system, where the chances of error would be minimised, should be introduced as a whole into the province. I must say, Sir, from my little experience of this system that it is a very good system indeed. So far as the Trichinopoly district is concerned, about which one representative has spoken, I suppose he is aware of the fact that in that district there are certain tracts which need a thorough reclassification of the soil. Orders have been issued, with regard to that tract, to revert to the old system of resettlement. I visited Tanjore also last year where I expected very vehement opposition to this scheme. But, Sir, I may tell the House that although I waited for full two hours in the Collector’s office expecting deputations to come and bombard me with numerous representations, after all only a handful of gentlemen turned up and said: ‘Well, we have not had enough of time to study this bulky report which appeared in the district gazette; we await further development.’ I left them to their own conclusions and did not bother myself about them. If there was such a depth of feeling as was represented here, witness only the proceedings of that meeting which was published in all the dailies of Madras on the 12th instant! I am only surprised where the depth of feeling was at the time I ventured to go and hear them.”

Rao Bahadur V. APPASWAMI VANDAYAR:—“We have waited in the Collector’s office.”

17th November 1922]

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur :
 "I mentioned, Sir, that only a handful of those gentlemen waited. I am not finding fault with them at all. I am prepared to hear them again.

"To one statement of my hon. friend the mover I must refer. He tells me that the permanent settlement resolution which was passed by this House should not have deterred us from bringing this periodical Settlement Bill before this House; whereas my hon. friend on the other side who rose to support this resolution by way of chastising the officers at fault, so that the loss of revenue might serve to spur them on to further activity and force them to bring this Bill before this House. My hon. friend on the other hand distinctly told us that even if the periodical Settlement Bill had come up before this House, we should be sure of an amendment having been brought up in favour of permanent settlement. Now, here are two opposite views. The hon. the mover in his anxiety to get this resolution passed tells me that, if my Bill had been introduced, there was the prospect of its getting through successfully."

Mr. A. RANGANATHA MUDALIYAR:—"I did not say it would pass through absolutely. If it was introduced it might have undergone some modifications."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur :—
 "Therefore the attitude of the Government in having withheld the introduction of the Bill in favour of permanent settlement was perfectly justifiable, as, if this Bill was introduced even after the permanent settlement resolution was passed, it might be misconstrued by the House as trifling with their resolution, or it may be construed as though the Government were trying by this method to influence them to drop their own motion about permanent settlement.

"After everything is said and done, the whole question has to be viewed from one standpoint and one standpoint only. That is the question of finance. The other day in Vellore where I had the honour of opening one of the group conferences, in the course of my remarks, I laid some emphasis on the financial problems of local bodies, and I made a reference to the fact that, when His late Highness the Nizam was installed on his Gadi by no less a friend of India than the late Lord Ripon, the then Viceroy of India, His Lordship compressed the whole of the advice that he had to give to that new Ruler who was going to assume the reins of administration, in a few significant words, and I told the conference that I could do no better than repeating the same exhortation to them, that is, 'look to your Finance.' We had been all anxious that this House should pass unanimously the two Bills which came up during the last two days, and all credit to the House, they unanimously passed the two Bills, but the commitments involved thereby are not to be slighted. Side by side with the activity you have exhibited yesterday if you are now going to pass this resolution, your action will, I fear, be not consistent, but it will rob the Government of such a big slice of revenue as twenty to twenty-five lakhs for an indefinite period. I ask whether it would be possible for a Government actuated by the best and loftiest of motives to render any financial help when its resources cannot afford it with a view to secure the full fruition of those two Bills which were unanimously accepted in this House, and whether it would be possible for any Government to render any financial help when its resources, rather than being

[Sir Muhammad Habib-ul-lah Sahib] [17th November 1922]

progressive or remaining at least stationary, are being depleted year after year. I ask you therefore to bear that one factor in mind and not to give your vote in favour of this resolution."

The resolution was put to vote and declared lost. A poll was then taken with the following result :—

Ayes.

- | | |
|---|--------------------------------|
| 1. Rao Bahadur V. Appaswami Vadayar. | 9. Mr. M. R. Seturatnam Ayyar. |
| 2. Mr. R. Appaswami Nayudu. | 10. " T. Sivasankaram Pillai. |
| 3. " V. P. Pakkiriswami Pillai. | 11. " R. Srinivasa Ayyangar. |
| 4. " K. Sarabha Reddi. | 12. " M. Suryanarayana. |
| 5. Rao Bahadur A. S. Krishna Rao Pantulu. | 13. " T. Aromainatha Pillai. |
| 6. Mr. C. V. Venkataramana Ayyangar. | 14. " K. Prabhakaran Tampam. |
| 7. Rai Bahadur T. M. Narasimhaachari. | 15. " Hamid Sultan Marakkayar. |
| 8. Rao Bahadur C. V. S. Narasimha Raju. | 16. " A. Ranganatha Mudaliyar. |

Noes.

- | | |
|---|--|
| 1. The hon. Sir Charles Todhunter. | 22. Mr. P. C. Muttu Chettiyar. |
| 2. The hon. Khan Bahadur Sir Muhammad Habib-ul-lah Sahib Bahadur. | 23. " M. Narayanaswami Reddi. |
| 3. The hon. Mr. K. Srinivasa Ayyangar. | 24. " K. Sitarama Reddi. |
| 4. " the Raja of Panagal. | 25. Diwan Bahadur T. N. Sivagnanam Pillai. |
| 5. " Rai Bahadur K. Venkatarreddi Nayudu. | 26. Mr. S. Somasundaram Pillai. |
| 6. " Rao Bahadur A. P. Patro. | 27. " A. Subbarayadu. |
| 7. " Mr. A. R. Knapp. | 28. Diwan Bahadur K. Suryanaraynamurti Nayudu. |
| 8. Mr. F. J. Richards. | 29. Diwan Bahadur M. Krishnan Nayar. |
| 9. " C. W. E. Cotton. | 30. Mr. S. Muttumariakkachariyar. |
| 10. " E. Periyannayagam. | 31. " C. R. T. Congreve. |
| 11. " R. K. Shanmukham Chettiyar. | 32. Muhammad Abdur Rahim Khan Sahib. |
| 12. Rao Bahadur T. A. Ramalinga Chettiyar. | 33. Khan Sahib Munshi Muhammad Abdur Rahman Sahib. |
| 13. Mr. K. Adinarayana Reddi. | 34. Saiyid Diwan Abdul-Razaak Sahib. |
| 14. " B. P. Devarajulu Nayudu. | 35. Khan Bahadur Muhammad Usman Sahib. |
| 15. Rao Bahadur P. C. Ethirajulu Nayudu. | 36. Rao Bahadur M. C. Raja. |
| 16. Diwan Bahadur R. Venkataratnam Nayudu. | 37. Mr. R. T. Kesavalu Pillai. |
| 17. Rao Bahadur T. Balaji Rao Nayudu. | 38. Rao Sahib M. O. Madurai Pillai. |
| 18. Mr. C. Ramalinga Reddi. | 39. Mr. G. Vandanam. |
| 19. " O. Tanikaachala Chettiyar. | 40. " A. M. MacDougall. |
| 20. " W. Vijayaraghava Mudaliyar. | 41. Rao Bahadur T. Namberumal Chettiyar. |
| 21. " B. Maniswami Nayudu. | |

Sixteen voted for the resolution and forty-one against.

The motion was lost.

Provision of lands and employment to ex-war service men.

3-30 p.m. Rao Bahadur M. C. RAJA:—"The resolution that stands in my name runs as follows:—

47. *That this Council recommends to the Government that ex-war service men, combatants and non-combatants, be provided with employment and with lands and that when Government are unable to provide work immediately the process of assigning lands to them be facilitated so as to enable them to cultivate these lands immediately.*

"Sir, I am now pleading on behalf of those men who at a critical juncture rendered timely and meritorious services to the country. These men, Sir, when the country wanted them, giving up everything near and dear to them recruited themselves and went to the battle-field. Such men as they are who, risking their lives for the sake of Emperor and the country, went abroad to safeguard the Empire, should be taken care of by the Government and they should do as much as they can for these people. The Government are

17th November 1922]

[Mr. M. C. Raja]

no doubt sincere but their sincerity should be actually translated into action. If the Government finds it difficult to provide them with work, all that I ask for is that the provision of assigning lands to them be facilitated. These men are having large families behind them and at a time like this, it is very difficult for them to support their families if they have no work, or if they have no lands to cultivate and earn their livelihood. I have in my possession a few records showing that these men have been applying for lands for years together and till now they have not received any reply either one way or the other. My object in bringing this resolution before this House is to ask Government to adopt measures whereby they may find some means of providing suitable employment for these loyal subjects or of giving them sufficient lands so that they may cultivate them and earn their livelihood. With these remarks, I move the resolution."

Mr. G. VANDANAM :—" I wish to second the resolution with as few words as possible. When the war broke out, almost everyone that had some power to rouse the people roused them by speeches to take up their swords. Many people failed to wield their swords. Therefore it was left to others to fight the enemy and when they went to the battle-field, many of them laid their lives for the sake of the country. Some of us have showed our patriotism by praising these people on public platforms until about the year 1919, when the Government were pleased to show them some encouragement by giving them lands. After the Armistice came the trouble, but still the work of war was not finished. Many people were needed in Mesopotamia and other places. Therefore, some of these people were recruited, some as combatants, some as non-combatants, and some as coolies. They were very happy to go on war service. Some of them were very ignorant people. They went and served in foreign lands without knowing the languages prevalent there. Some of them felt great hardships and some of them underwent great privations. Nevertheless, all of them served the country and the King in foreign lands. Some people served there as non-combatants. It is true that in some districts the Collectors have been giving them very good encouragement. I can testify to the way in which lands are being distributed in certain districts both to combatants and non-combatants. But still there is the case of those non-combatants who were recruited as clerks and for other services where the Government have not provided them either with lands or with employments when they returned from war service. My friend Mr. Raja is earnestly pleading not only for the combatants but also for the non-combatants who rendered great service to the cause of the country. My plea is that when they return, let us not stare at them and treat them as strangers. Some of them are poor people and did meritorious service for the cause of the country. They are straying about in the country. Is it not possible for the Government to give lands to these people as far as it lies in their power? It is true that it is not easy to get lands for them. But there are a number of reserves which can be distributed among these people. It is also true that we cannot easily create appointments for them to work as clerks. But still there are a number of private firms and the Railway department to which these people can be very easily recommended. Some time ago the Government were pleased to send them to places where they could find employments, but after the War is over, Government seem to be a little lukewarm. If I am asked to give an instance, I may say that a number of people is straying about the Chamber of the Legislative Council to get recommendations from hon. Members,

[Mr. G. Vandanam]

[17th November 1922]

but the latter do not care for them or have any sympathy towards them. Therefore, my plea is that Government should come forward and do something expeditiously, so that these people may be grateful to the Government on whose behalf they served in foreign lands, sometimes even risking their lives. With these few words I support the resolution."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I only beg to move a small amendment and that is :

add at the end the words 'and that their claims be specially accepted if they had been village officers in any of the villages that are amalgamated into groups'.

" I fully endorse everything that has been said by the proposer and the seconder of this resolution. I have personally known cases where lands have not been given to persons simply on account of their being non-combatants. There seems to be some special provision in the case of combatants alone. If they are non-combatants, absolutely nothing is done to them. We know there are a large number of people in the Coimbatore district belonging to Adi-Dravida community and, whenever lands are to be given to them, they are first handed over to missionaries to be distributed to the former. The result is that people of Christian persuasion are preferred.

" As regards village officers, some of them had been on long leave on account of war service. When they return from overseas service they are not given their original appointments because the Government do not count the period of their absence from the village, but the new incumbents who were acting in their places are confirmed, the reason being that they have put in more service than the permanent men. In instances of this kind and in various other instances, no special favour is shown to such people. Therefore, I heartily support the proposition and propose the amendment standing in my name."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" I second the amendment."

The hon. Mr. A. R. KNAPP :—" Mr. President, I am sure that hon. Members of this House have listened, as I myself have listened, with much interest to the appeal made by the mover and seconder of this resolution on behalf of those who, as the mover stated, rendered timely and meritorious service to the State by joining the ranks of the combatant and non-combatant ranks of the army. I have myself a special and personal interest in this matter, and I cannot forget that during the time, that is in 1917 and 1918, when India in common with the rest of the Empire was called upon to put forward its best efforts, I was privileged to be actively associated with recruiting for the army. How noteworthy was the response to our call for recruits is, I think, within the memory of this House. For an area which for many years past had almost lost its traditions of military service, the enlistment of no less than 60,000 men for the combatant and non-combatant ranks was, as the House will agree, a very creditable one. Now, Sir, during the course of those recruiting arrangements, we found that there was a certain anxiety on the part of the would-be recruits in regard to their future position, if after they had left their civil occupations and gone out to the war they came back and found themselves obliged to make a fresh start in life. It was with a view to allay that anxiety that Government made certain promises in regard to the employment of these ex-service men. Those promises

17th November 1922]

[Mr. A. R. Knapp]

which the Government had made, they had, and they have, every intention to fulfil, and we are doing our best to fulfil them, as has been acknowledged, at any rate, by the mover of the resolution. There are difficulties in dealing individually with such a large number of people. But I should personally, Sir, regard it as lamentable if we are to be told that our efforts in carrying out our promises have been a failure.

“Let us see, Sir, what the hon. mover wants. His first request is that we should provide ex-war service men with employment. Let me say in passing, Sir, that to find employment for 60,000 men is rather a large undertaking. I do not know whether his intention is that the Government should find employment for all these persons. That is clearly impossible, more particularly at a time when, as the House knows, we ourselves are cutting down our staffs and quite recently have had to retrench establishments to the extent of 12,000 men. If there are still without employment a large number of men who enlisted themselves during the war, I am afraid we shall have to look, as the hon. the seconder of the resolution suggested, to private employers for help. It is their duty and just as much incumbent on them as on the Government, to see that those who came forward to fight in defence of the Empire should not be allowed to suffer for having done so.

“As regards providing employment in Government service, what we have done is this. As long ago as 1918 the Government decided that all appointments up to Rs. 15 in Government service should thereafter be only filled up temporarily, so that the men when they returned from the war might have an opportunity of getting those appointments. Again, all those who had enlisted in the combatant ranks were permitted then and there, on enlistment, to put in their applications to the heads of the departments in Government service, naming the posts that they would like to have when they came back. In June 1919, this order was extended to a period of one year after the declaration of peace, that is to say, all such appointments were ordered to be kept temporary unless the posts were occupied by demobilised soldiers. The Government at the same time directed as a permanent measure that in filling up vacancies of that description preference should be given to men who had served in the army, provided that they were qualified educationally for the posts. Again, towards the end of 1920 an order was passed directing all heads of departments to give preferential treatment, in filling up clerical posts, to men who had undergone the course at the Overseas Training school at Saidapet and gone on service. Finally on the 8th April in the current year the Government issued a comprehensive order which has been published, confirming their previous orders and impressing upon the heads of departments the importance of a carrying out the promises already made. Under this latest order which I hope my hon. friend will admit is a reasonable and generous one, all appointments in Government service on less than Rs. 35 in the mufassal and Rs. 40 in the city, are to be reserved for ex-service men until further orders and in filling up vacancies in the clerical grades heads of departments are required to give preference to ex-soldiers who have got the minimum qualifications required for Government service and to clerks who have been trained in the Overseas Training school.”

Mr. C. RAMALINGA REDDI:—“May I ask the hon. Member information on one point, Sir? It is whether Government have got any reports from these officers regarding the number of ex-war service men employed by them.”

[17th November 1922]

The hon. Mr. A. R. KNAPP :—" I shall come to that later, Sir. Orders were also passed to the effect that men acting in the vacancies which have occurred since 1918 were to be replaced as far as possible by the permanent appointment of ex-sepoys, and heads of departments and officers were required to submit half-yearly reports showing the number of appointments so made. The first half-yearly report has recently been received, and it shows that a total of 209 clerks and nearly 1,500 other employees on less than Rs. 35 a month, have been taken into service within the period under report. The Salt Department has to its credit 117 ex-service clerks and 89 lower appointments. In the Police Department about a thousand constables have been appointed, and 25 men in the clerical grades. In the Forest Department 129 appointments were given to these men. Almost every department and district has contributed to this result, and the effect of the report is, I venture to think, undoubtedly to show that the desire of the Government to find employment for these men is being faithfully carried out by its various departments and officers. It is therefore somewhat of a disappointment to me that my hon. friends, the mover and seconder of the resolution, consider that so much remains to be done. As I have already pointed out, it was impossible in this matter to expect that Government should be able to deal with all cases, and we recognized that from the first. Immediately after the termination of the war we appointed a Soldiers' Board composed largely of non-officials and presided over by the Government Member in charge of the subject; their special task was to make arrangements for safeguarding the interests of these returned soldiers. At the same time, we tried to set up in every district a local soldiers' committee presided over by the Collector of the district and having among its members landholders, merchants and retired Indian officers. There has been, I am afraid, a great deal of variation in the work of these district committees and not all of them, I fear, have succeeded in attaining the object for which they were created. As a result of that and in order that they might not go to sleep over the matter, we decided in March last to make a reference to the local committees, calling upon them to report as to the methods to be adopted to revive and sustain interest in this most important matter of safeguarding the interests of ex-soldiers and of finding new openings for those in want of employment. The expected reports have not yet been received. When they come, they will be considered by the Soldiers' Board, and I hope that my hon. friend the mover who has accepted a seat on that body, will be able in that capacity to help us in dealing with this very difficult problem."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know, Sir, whether those for whom employment is being provided include non-combatants also ?"

The hon. Mr. A. R. KNAPP :—" They include non-combatants, Sir, so far as the clerical candidates are concerned. As regards the others, I am not quite sure, and that is a matter which we shall have to refer to the soldiers' committees in the districts."

" Then, Sir, there is the question of land. The hon. mover asks that when the Government are unable to provide work for these men, the process of assigning lands may be facilitated so as to enable them to cultivate these lands immediately. I am sorry, Sir, that the hon. Members who spoke on this resolution did not give quite as much assistance as I had hoped for, by giving us detailed information about the cases in which there had been

17th November 1922]

[Mr. A. R. Knapp]

delay in assigning lands to soldiers. As far as the Government are concerned, this is what they have done. Under orders issued in 1917, recruits were given preference for purposes of darkhast in their own districts or elsewhere. They were allowed to put in on enlistment darkhast applications for the lands they wanted, and the lands, if available, were set aside for them. After they had put in a satisfactory service of six months, the darkhast was to be granted."

Mr. G. VANDANAM:—"May I ask, Sir, if Government would count service after the Armistice?"

The hon. Mr. A. R. KNAPP:—"This was before the Armistice, Sir. In June 1919 the Government called for a return showing the progress made in this direction and also directing that the tree value due on land granted to the recruits be waived up to the sum of Rs. 500. In August 1921, further orders were issued and reports called for as to the progress made, and at the end of 1921 we found that 2,880 grants of lands had been made under these special rules.

"We have, therefore, Sir, done something, but we knew from the beginning, and subsequent experience has fully confirmed the fact that there are very great difficulties of detail in dealing with this question. We found, for example, that sepoys are rather apt to for ask lands which it is impossible to assign to them; they even ask for land which is already included in the pattas of other people. Most of them, as our experience has shown, ask for lands in the neighbourhood of big towns, which were not very often available, and there is a great deal of disappointment as they were unable to get them. With the assistance which the hon. mover may give us, I hope that the Soldiers' Board may still be able to help us towards finding a practicable means of expediting the grant of lands to these men. We shall welcome any assistance, whether official or non-official, towards pushing on with the carrying out of our promises.

"On the particular question as to how far non-combatants, that is, I take it, men belonging to the Labour Corps, availed themselves of these concessions, I am afraid I am not in a position to make any definite statement. That is a matter for the Soldiers' Board, and I think that as a result of this debate they will certainly take it up. After what I have said, the mover, I hope, will recognize that it will not be practicable to pass this resolution exactly as it stands, but I have no doubt that he will be satisfied with my statement more particularly as hereafter he will be in a position to exercise a direct influence in the Board on these matters in which he is interested.

"One word, Sir, about the amendment. I confess that when I read it, I was rather bewildered. I do not recollect any very large number of village officers who came forward during the war to serve in the army."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I know, Sir, of some people who have been recruited as non-combatants."

The hon. Mr. A. R. KNAPP:—"I am a little surprised that my hon. friend should want to use the heavy machinery of a resolution in this Council to call attention to what must be rare cases. All I can say is that when the cases of these men come up they will undoubtedly get the same consideration as any other cases, and, if there are any such in his district of Coimbatore,

[Mr. A. R. Knapp] [17th November 1922]

I would advise my hon. friend to bring the case of such people specially to the notice of the Soldiers' Committee there. That is the best means of advancing their interests.

"I am in full sympathy with the principles of this resolution, but I suggest to my hon. friend the mover to see that he is asking Government to do the impossible when he suggests that 'when Government are unable to provide work immediately' they should provide or assign lands so that they may be immediately cultivated."

MR. T. ARUMAINATHA PILLAI:—"Sir, I rise to speak on this resolution not with the intention of criticizing the hon. Mr. Knapp who is now in charge of this department or his predecessor, Sir Lionel Davidson. For the last one year and more I have been a member of the Madras Soldiers' Board, and I took one or two cases to the notice of that board. One of such cases was a man, an Indian, who got himself enlisted in the King's Royal Rifle Corps in London, and after demobilization he came over to India. After hunting here and there for a job in vain, he finally came to me. I being a member of the Soldiers' Board thought the best thing was to appeal to the President of the Board, Sir Lionel Davidson, and I took him to Sir Lionel Davidson. He was glad to see a member of that regiment coming up and asking for employment under the Madras Government, and he asked me to send up an application to the board along with a letter of mine. I did send an application which came up before the Soldiers' Board at which I was also present. I remember perfectly well that Sir Lionel Davidson spoke very highly of that regiment and said that such a man should be given employment. That is the last I heard of it, and up to now I do not know what became of it. I bring this case in rising to speak on this resolution not with a view to criticize the action of the Government but only to bring this special case and one other case to the notice of the hon. Mr. Knapp because he referred to the existence of the Soldiers' Board. When he said that Mr. Raja as a newly appointed member of the board could bring up all those cases before it, I was thinking myself that I had been a member of the board for such a long time, and that what I was able to do was only to bring up a case or two before it without any effect. The hon. Mr. Knapp referred to the fact that it would be impossible to find places under the Government for all those people.

"Another applicant came to me from Mesopotamia and he said that he was a very good typist. I tested him whether he could take shorthand and type, and he did very well. I wrote to Mr. Tottenham—Mr. Tottenham was then the Secretary of the Soldiers' Board, and I believe he is the Secretary even now but I am not sure—recommending that applicant for some employment in Government or some other employment in a place like Messrs. Best & Co. Mr. Tottenham sent off that letter to the Board and nobody knows what became of it. It is not with a view to finding fault with the good intentions of Government that I rise to speak but only to say that the good intentions of the Government are very well and beautifully worded in the Government Orders and other circulars but are impossible of being practically carried out. Only to bring those cases to the notice of the present President of the Madras Soldiers' Board I rose to speak on this occasion."

RAO BAHADUR T. NAMBERUMAL CHETTIYAR:—"I rise, Sir, to say a few words in opposing this resolution. The picture drawn by the mover and the seconder of this resolution seems to be rather exaggerated. There is not so

17th November 1922] [Mr. T. Nambiarum Chettiyar]

much suffering among the ex-service men as has been described by them. They are also forgetting the fact that liberal salaries were paid by Government when they were recruited for war-service. I know an instance where a man earning Rs. 14 per mensem was given as much as Rs. 140. When he came back from the front he had Rs. 8,000 with him, paid all his debts, and he is now a richer man comparatively than he was before. I say there are several such instances, and the money that they have earned abroad can easily be invested in landed properties if they only choose to do so.

"Again, Sir, the fact that they have been earning much money during the war has swollen their heads. They forget that they were only getting about Rs. 20 before as labourers and they are now demanding Rs. 50 or Rs. 60. Although a man has learnt nothing, simply because he has been earning a good salary at the front, he asks for the same salary from his present employer. I think that such overweening aspirations should not receive our support.

"With these words, I oppose the resolution."

Diwan Bahadur M. KRISHNAN NAYAR :—"I wish to say one word with reference to this resolution, Sir, not actually by way of opposing it but for the purpose of bringing to the notice of the Council some hardship which may be involved in certain cases if the recommendation of this resolution is carried into effect. I realize that persons who have served in the war as combatants or as non-combatants deserve to be helped. But I know of many instances in which persons who worked as peons and amins and others who were working for long periods such as for eight years and nine years but who could not be confirmed have been turned out for the purpose of making room for those who have returned from Mesopotamia and other places. Now, as I submitted, Sir, it is very necessary that persons who have returned from war-service ought to be helped, but in rendering that help to one class of persons who deserve help, care should be taken that hardship is not caused to other classes of persons who also deserve help; so that what I submit is this: that some discretion may be granted to the appointing heads of departments like collectors and district judges in this matter. Now, in consequence of the orders of Government that those persons who have returned from Mesopotamia and other places should be appointed, these heads of departments have no option in the matter; they have to turn out very often people already working, thus causing them very great hardship. In such cases, I feel it is very necessary, and I therefore make this appeal to the hon. Mr. Knapp, that some discretion should be left to the appointing officer so as not to cause any appreciable hardship to persons who have already been working for long periods.

"Another thing which is within my experience is that, as the hon. Mr. Knapp said, very often persons apply for lands which are actually in the possession of others as registered lands or as poramboke. When I was in the Government of Travancore, I tried to give effect to the spirit of this resolution by assigning lands to persons coming from Mesopotamia and other places. I was receiving hundreds of applications but I found that more than 90 per cent of those applications related to lands which it was impossible to assign because they were communal lands or lands already registered, so that very often it was found in practice extremely difficult to give effect to the recommendation.

"I, therefore, request the hon. Member to give some discretion to the appointing officer."

[17th November 1922]

Mr. C. RAMALINGA REDDI :—"Sir, I am in entire sympathy with the spirit of the resolution moved by my hon. friend Mr. Raja. I should like also to associate myself with the sentiments expressed by the two friends who preceded me. Mr. Krishnan Nayar said that nothing should be done which will affect vested interests in giving effect to this resolution. It is a counsel of perfection."

Diwan Bahadur M. KRISHNAN NAYAR :—"A word of personal explanation, Sir. I am afraid my friend has misunderstood my intention. I did not refer to vested interests at all. All I said was that in cases where some hardship is likely to be caused by giving effect to this resolution some discretion may be granted to the appointing officer."

Mr. C. RAMALINGA REDDI :—"That discretion even if left in worthy hands might be displaced by an excess of vested interests. 4-45 p.m. My hon. friend thinks that in providing employment for ex-service men no other men should be injured. It is a counsel of perfection, which, if heeded, would nullify all the policy of Government."

"I do not also believe that a number of people have returned with some savings in their pockets. We must show some concession to persons who at a very critical moment were prepared to lay down their lives for the good of the country. All the soldiers in all the armies of the world—it does not matter how many years they may have served—are not in my opinion equal in merit to a single soldier who has served in the late war; and so some special consideration must be shown to them. At the same time I do not see what purpose is going to be served by passing this resolution. I have listened to the splendid statement made by the hon. Mr. Knapp. I now recognize that the Government have done their very best. It is not only a question of a pious wish on their part but they seem to have made every possible effort to give effect to their orders. The difficulty is especially due to the conditions in the mufassal. It so happens that many of these ex-service men belong to one community, the depressed classes, and several people take advantage of that fact. I know that these classes find it very hard to have their claims recognized. So the first question is what should or what could the Government do in the matter. I was wondering whether they were calling for periodical returns of appointments and lands given to such men. Perhaps also, they have been circularizing the private firms and district boards and taluk boards and other agencies which employ labour. I am not sure that that has been done. I take it they have done it or they will be doing it. Unless the local officials are very sympathetic, I do not think that the policy could be enforced without special effort."

"If the Government feel that their hands would be strengthened by our passing this resolution we are all ready to vote. But on the other hand if the Government feel that they have been doing their best in the matter, no good purpose will be served by our passing the resolution and we may leave it where it is and trust to the Government for a more vigorous consideration of the matter."

Rao Bahadur M. C. RAJA :—"Sir, I am extremely sorry to hear from my hon. friend Mr. Namburumal Chettiyar, that these people when they go to war come back with very much capital. I have not come across such men. But I have come across men who have returned with an empty purse. They have all told me the story of their ordeal and although they were getting daily rations, they had to pay for everything extra they took. Moreover, it was

17th November 1922]

[Mr. M. C. Raja]

observed by Mr. Chettiyar, that if a liberal pay was offered anybody would be prepared to accept the job. I very much regret that he should have thought like that when he actually knows that these people went there for the sake of their country, for the sake of their Emperor and not for the princely pay they were offered. In that case too, I do not imagine that my friend would have been prepared to take the sword if he had been offered a princely pay (laughter). In fact when I tabled this resolution, I did not expect that there would be the slightest opposition to this resolution."

Rao Bahadur T. NAMBERUMAL CHETTIYAR :—"Sir, I was prepared to accept a job, but they would not take me on account of my old age (loud and continued applause)."

Rao Bahadur M. C. RAJA :—"I am very glad to hear that, Sir. Still if there was a difficulty in his case he could have sent one of his sons or his sons-in-law (laughter). Then, Sir, Mr. Krishnan Nayar stated that these people are applying for all registered lands. But, as Mr. Ramalinga Reddi rightly pointed out, almost all of these people belong to the depressed classes and they must go to the higher classes if they want to know the survey number, etc., of lands. I would therefore appeal to the Government and the revenue authorities to issue or to publish broadcast all available lands for darkhast to the people in the various parts of the Presidency. Sir, I moved a similar resolution in the old Council and then Mr. Lloyd said that he would do his best in the matter. But now it appears that nothing definite has been done. I would therefore request the hon. Mr. Knapp to consider this aspect of the question and to make necessary arrangements to publish broadcast by publication or by beat of tom tom in the various taluks a list of all the available lands for darkhast. The Government have done their best I know. As my hon. friend Mr. Arumainatha Pillai has pointed out, the subordinate officers in the district have not been sympathetic. They have not translated the sympathies of the Government into action. I once more appeal to the hon. Mr. Knapp to instruct the heads of these districts and rigorously ask subordinate officers to send reports not only half-yearly but also quarterly. In conclusion, Sir, I am extremely thankful to the hon. Mr. Knapp for the statements he made and I am sure that as long as he holds the portfolio in his hands he would do all that lies in his power to ameliorate the condition of the depressed classes. And after his assurances, I beg leave to withdraw the resolution."

The resolution was then by leave of the House withdrawn.

At this stage, 4-25 p.m., the House adjourned to meet again on the 18th December 1922 at 11 a.m.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

[17th November 1922]

APPENDIX

[Vide page 817 supra.]

Proceedings of the eleventh meeting for 1922-23 of the Standing Finance Committee of the Madras Legislative Council held at Fort St. George on Saturday, the 11th November 1922.

PRESENT:

- (1) The Hon'ble Sir CHARLES TODHUNTER, K.C.S.I. (Chairman).
- (2) M.R.Ry. Rao Bahadur C. NATESA MUDALIYAR Avargal.
- (3) „ O. TANIKACHALA CHETTIYAR Avargal.
- (4) „ A. RANGANATHA MUDALIYAR Avargal.
- (5) Khan Bahadur MUHAMMAD USMAN SAHIB.
- (6) Dr. P. SUBBARAYAN.
- (7) M.R.Ry. Rao Bahadur T. A. RAMALINGA CHETTIYAR Avargal.
- (8) Mr. A. M. MACDOUGALL.

(Mr. W. ALEXANDER did not attend.)

Read scheme for (1) the employment of an additional staff of one inspector and four sub-inspectors in the Madras City Police Force for the control of motor traffic and investigation of motor cases, and (2) the raising of the existing fee of Rs. 2 levied for licences for driving motors to Rs. 5 for new licences and Rs. 3 for the renewal of old licences.

The Committee by a majority recommended the acceptance of the proposals.

2. *Read* scheme for the establishment of a Central Millet Breeding Station at Coimbatore involving a total expenditure of Rupees 55,000 of which Rs. 52,700 is non-recurring and Rs. 2,300 is recurring.

The estimates appeared to the Committee to be unnecessarily high, especially in respect of the cost of land. They recommended that the department be asked to re-examine the estimates with a view to economies. The Committee would also be glad to know whether the experiment in question could not be conducted on land already under the control of the department.

3. *Read* scheme for the opening of six new veterinary dispensaries in 1923-24 at a total cost of Rs. 16,218 (both recurring and non-recurring).

The Committee recommended acceptance of the scheme, but did not regard it as urgent.

